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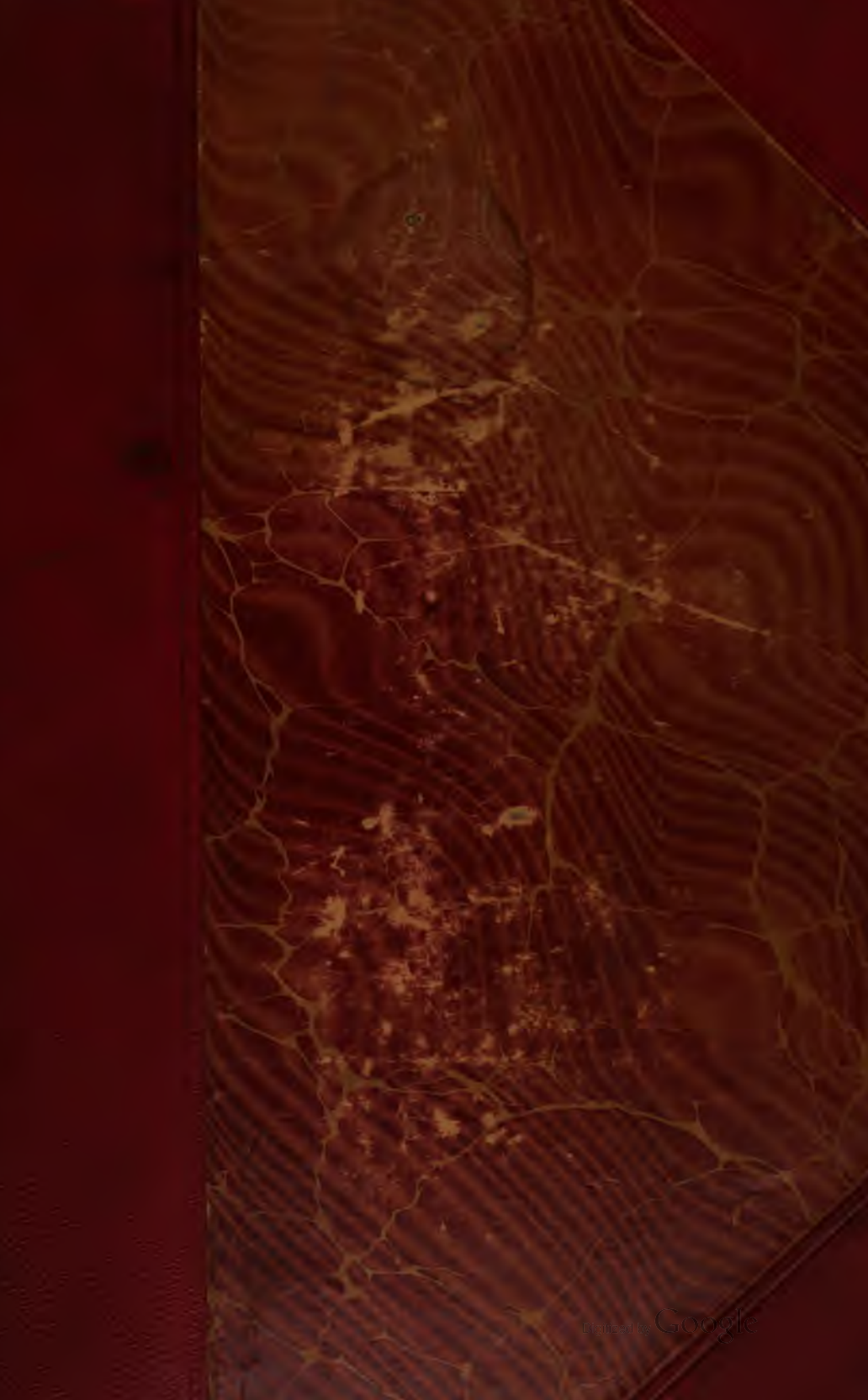
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*The Gift of
The Publisher,
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*Recd. Apr. 12.
1855.*



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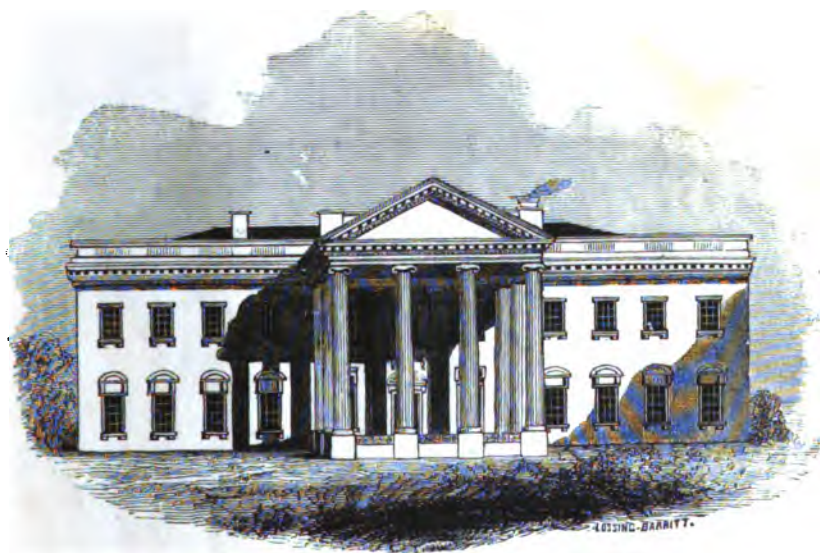
Millard Fillmore

THE
STATESMAN'S MANUAL:

CONTAINING THE
PRESIDENTS' MESSAGES,
INAUGURAL, ANNUAL, AND SPECIAL,
FROM
1789 to 1851.
WITH THEIR MEMOIRS, AND HISTORIES OF THEIR ADMINISTRATIONS.

TOGETHER WITH A VERY VALUABLE COLLECTION OF
NATIONAL AND STATISTICAL DOCUMENTS, &c. &c.

COMPILED FROM OFFICIAL SOURCES,
BY EDWIN WILLIAMS.



PRESIDENT'S HOUSE

VOL. IV.

EDWARD WALKER, 114 FULTON-STREET,
NEW YORK

1849

THE STATESMAN'S MANUAL.

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IN FOUR VOLUMES,

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NEW AND ENLARGED EDITION.

3*

NEW YORK:

EDWARD WALKER, 114 FULTON STREET.

1854.

5-397.4
1461-29/3 3.5.4

BOUND. JUL 1 1910

Entered according to Act of Congress, in the year 1846

By EDWARD WALKER,

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zation and improvement in agriculture and the mechanic arts, and have led to many unfortunate acts of domestic strife, against which the government is, bound, by the treaty of 1835, to protect them. Their unfortunate internal dissensions had attracted the notice, and excited the sympathies of the whole country, and it became evident that if something was not done to heal them, they would terminate in a sanguinary war, in which other tribes of Indians might become involved, and the lives and property of our own citizens on the frontier endangered. I recommended, in my message to Congress on the 13th of April last [1846], such measures as I then thought it expedient should be adopted to restore peace and good order among the Cherokees, one of which was a division of the country which they occupy, and separation of the tribe. This recommendation was made under the belief that the different factions could not be reconciled, and live together in harmony—a belief based, in a great degree, upon the representations of the delegates of two of the divisions of the tribe. Since then, however, there appears to have been a change of opinion on this subject on the part of these divisions of the tribe; and, on representations being made to me, that, by the appointment of commissioners to hear and investigate the causes of grievance of the parties against each other, and to examine into their claims against the government, it would probably be found that an arrangement could be made which would once more harmonize the tribe, and adjust, in a satisfactory manner, their claims upon, and relations with, the United States, I did not hesitate to appoint three persons for the purpose. The commissioners entered into an able and laborious investigation; and, on their making known to me the probability of their being able to conclude a new treaty with the delegates of all the divisions of the tribe, who were fully prepared to make any new arrangement which would heal all dissensions among the Cherokees, and restore them to their ancient condition of peace and good brotherhood, I authorized and appointed them to enter into negotiations with these delegates for the accomplishment of that object. The treaty now transmitted is the result of their labors, and it is hoped that it will meet the approbation of Congress; and, if carried out in good faith by all parties to it, it is believed it will effect the great and desirable ends had in view.

Accompanying the treaty is the report of the commissioners, and also a communication to them from John Ross and others, who represent what is termed the government party of Cherokees, and which is transmitted, at their request, for the consideration of the senate.

FOURTH ANNUAL MESSAGE.

DECEMBER 5, 1848.

Fellow-Citizens of the Senate and of the House of Representatives :—

UNDER the benignant providence of Almighty God, the representatives of the states and of the people are again brought together to deliberate for the public good. The gratitude of the nation to the sovereign arbiter of all human events, should be commensurate with the boundless blessings which we enjoy.

Peace, plenty, and contentment, reign throughout our borders, and our beloved country presents a sublime moral spectacle to the world.

The troubled and unsettled condition of some of the principal European powers has had a necessary tendency to check and embarrass trade, and to depress prices throughout all commercial nations; but notwithstanding these causes, the United States, with their abundant products, have felt their effects less severely than any other country, and all our great interests are still prosperous and successful.

In reviewing the great events of the past year, and contrasting the agitated and disturbed state of other countries with our own tranquil and happy condition, we may congratulate ourselves that we are the most favored people on the face of the earth. While the people of other countries are struggling to establish free institutions, under which man may govern himself, we are in the actual enjoyment of them—a rich inheritance from our fathers. While enlightened nations of Europe are convulsed and distracted by civil war or intestine strife, we settle all our political controversies by the peaceful exercise of the rights of freemen at the ballot-box. The great republican maxim so deeply engraven on the hearts of our people, that the will of the majority, constitutionally expressed, shall prevail, is our sure safeguard against force and violence. It is a subject of just pride, that our fame and character as a nation continue rapidly to advance in the estimation of the civilized world. To our wise and free institutions it is to be attributed, that while other nations have achieved glory at the price of the suffering, distress, and impoverishment, of their people, we have won our honorable position in the midst of an uninterrupted prosperity, and of an increasing individual comfort and happiness. I am happy to inform you that our relations with all nations are friendly and pacific. Advantageous treaties of commerce have been concluded within the last four years with New Grenada, Peru, the Two Sicilies, Belgium, Hanover, Oldenburg, and Mecklenburg-Schwerin. Pursuing our example, the restrictive system of Great Britain, our principal foreign customer, has been relaxed; a more liberal commercial policy has been adopted by other enlightened nations, and our trade has been greatly enlarged and extended. Our country stands higher in the respect of the world than at any former period. To continue to occupy this proud position, it is only necessary to preserve peace, and faithfully adhere to the great and fundamental principle of our foreign policy, of non-interference in the domestic concerns of other nations. We recognise in all nations the right which we enjoy ourselves, to change and reform their political institutions according to their own will and pleasure. Hence we do not look behind existing governments, capable of maintaining their own authority. We recognise all

such actual governments, not only from the dictates of true policy, but from a sacred regard for the independence of nations.

While this is our settled policy, it does not follow that we can ever be indifferent spectators of the progress of liberal principles. The government and people of the United States hailed with enthusiasm and delight the establishment of the French republic, as we now hail the efforts in progress to unite the states of Germany in a confederation, similar in many respects to our own federal Union. If the great and enlightened German states, occupying, as they do, a central and commanding position in Europe, shall succeed in establishing such a confederated government, securing at the same time to the citizens of each state local governments adapted to the peculiar condition of each, with unrestricted trade and intercourse with each other, it will be an important era in the history of human events. While it will consolidate and strengthen the power of Germany, it must essentially promote the cause of peace, commerce, civilization, and constitutional liberty, throughout the world.

With all the governments on this continent our relations, it is believed, are now on a more friendly and satisfactory footing than they have ever been at any former period.

Since the exchange of ratifications of the treaty of peace with Mexico, our intercourse with the government of that republic has been of the most friendly character. The envoy extraordinary and minister plenipotentiary of the United States to Mexico has been received and accredited, and a diplomatic representative from Mexico of similar rank has been received and accredited by this government. The amicable relations between the two countries which had been suspended have been happily restored, and are destined, I trust, to be long preserved. The two republics, both situated on this continent, and with coterminous territories, have every motive of sympathy and of interest to bind them together in perpetual amity.

This gratifying condition of our foreign relations renders it unnecessary for me to call your attention more specifically to them.

It has been my constant aim and desire to cultivate peace and commerce with all nations. Tranquillity at home and peaceful relations abroad constitute the true permanent policy of our country. War, the scourge of nations, sometimes becomes inevitable, but is always to be avoided when it can be done consistently with the rights and honor of a nation.

One of the most important results of the war into which we were recently forced with a neighboring nation, is the demonstration it has afforded of the military strength of our country. Before the late war with Mexico, European and other foreign powers entertained imperfect and erroneous views of our physical strength as a nation, and of our ability to prosecute war, and especially a war waged out of our own country. They saw that our standing army on the peace establishment did not exceed ten thousand men. Accustomed themselves to maintain in peace large standing armies for the protection of thrones against their own subjects, as well as against foreign enemies, they had not conceived that it was possible for a nation without such an army, well disciplined and of long service, to wage war successfully. They held in low repute our militia, and were far from regarding them as an effective force, unless it might be for temporary defensive operations when invaded on our own soil. The events of the late war with Mexico have not only undeceived them, but have removed erroneous impressions which prevailed to some extent even among a portion of our own countrymen. That war has demonstrated, that upon the break

ing out of hostilities not anticipated, and for which no previous preparation had been made, a volunteer army of citizen-soldiers equal to veteran troops, and in numbers equal to any emergency, can in a short period be brought into the field. Unlike what would have occurred in any other country, we were under no necessity of resorting to draughts or conscriptions. On the contrary, such was the number of volunteers who patriotically tendered their services, that the chief difficulty was in making selections and determining who should be disappointed and compelled to remain at home. Our citizen-soldiers are unlike those drawn from the population of any other country. They are composed indiscriminately of all professions and pursuits : of farmers, lawyers, physicians, merchants, manufacturers, mechanics, and laborers ; and this, not only among the officers, but the private soldiers in the ranks. Our citizen-soldiers are unlike those of any other country in other respects. They are armed, and have been accustomed from their youth up to handle and use firearms ; and a large proportion of them, especially in the western and more newly-settled states, are expert marksmen. They are men who have a reputation to maintain at home by their good conduct in the field. They are intelligent, and there is an individuality of character which is found in the ranks of no other army. In battle, each private man, as well as every officer, fights not only for his country, but for glory and distinction among his fellow-citizens when he shall return to civil life.

The war with Mexico has demonstrated not only the ability of the government to organize a numerous army upon a sudden call, but also to provide it with all the munitions and necessary supplies with despatch, convenience, and ease, and to direct its operations with efficiency. The strength of our institutions has not only been displayed in the valor and skill of our troops engaged in active service in the field, but in the organization of those executive branches which were charged with the general direction and conduct of the war. While too great praise can not be bestowed upon the officers and men who fought our battles, it would be unjust to withhold from those officers necessarily stationed at home, who were charged with the duty of furnishing the army, in proper time and at proper places, with all the munitions of war and other supplies so necessary to make it efficient, the commendation to which they are entitled. The credit due to this class of our officers is the greater, when it is considered that no army in ancient or modern times was ever better appointed or provided than our army in Mexico. Operating in an enemy's country, removed two thousand miles from the seat of the federal government, its different corps spread over a vast extent of territory, hundreds, and even thousands of miles apart from each other, nothing short of the untiring vigilance and extraordinary energy of these officers could have enabled them to provide the army at all points, and in proper season, with all that was required for the most efficient service.

It is but an act of justice to declare that the officers in charge of the several executive bureaus, all under the immediate eye and supervision of the secretary of war, performed their respective duties with ability, energy, and efficiency. They have reaped less of the glory of the war, not having been personally exposed to its perils in battle, than their companions in arms ; but, without their forecast, efficient aid, and co-operation, those in the field would not have been provided with the ample means they possessed of achieving for themselves and their country the unfading honors which they have won for both.

When all these facts are considered, it may cease to be a matter of so much amazement abroad how it happened that our noble army in Mexico, regulars and volunteers, were victorious upon every battle-field, however fearful the odds against them.

The war with Mexico has thus fully developed the capacity of republican governments to prosecute successfully a just and necessary foreign war with all the vigor usually attributed to more arbitrary forms of government. It has been usual for writers on public law to impute to republics a want of that unity, concentration of purpose, and vigor of execution, which are generally admitted to belong to the monarchical and aristocratic forms; and this feature of popular government has been supposed to display itself more particularly in the conduct of a war carried on in an enemy's territory. The war with Great Britain, in 1812, was to a great extent confined within our own limits, and shed but little light on this subject. But the war which we have just closed by an honorable peace evinces, beyond all doubt, that a popular representative government is equal to any emergency which is likely to arise in the affairs of a nation.

The war with Mexico has developed most strikingly and conspicuously another feature in our institutions. It is that, without cost to the government or danger to our liberties, we have in the bosom of our society of freemen, available in a just and necessary war, virtually a standing army of two millions of armed citizen-soldiers, such as fought the battles of Mexico.

But our military strength does not consist alone in our capacity for extended and successful operations on land. The navy is an important arm of the national defence. If the services of the navy were not so brilliant as those of the army, in the late war with Mexico, it was because they had no enemy to meet on their own element. While the army had opportunity of performing more conspicuous service, the navy largely participated in the conduct of the war. Both branches of the service performed their whole duty to the country. For the able and gallant services of the officers and men of the navy—acting independently and as well as in co-operation with our troops—in the conquest of the Californias, the capture of Vera Cruz, and the seizure and occupation of other important positions on the gulf and Pacific coasts, the highest praise is due. Their vigilance, energy, and skill, rendered the most effective service in excluding munitions of war and other supplies from the enemy, while they secured a safe entrance for abundant supplies for our own army. Our extended commerce was nowhere interrupted; and for this immunity from the evils of war, the country is indebted to the navy.

High praise is due to the officers of the several executive bureaus, navyyards, and stations connected with the service, all under the immediate direction of the secretary of the navy, for the industry, foresight, and energy, with which everything was directed and furnished to give efficiency to that branch of the service. The same vigilance existed in directing the operations of the navy as of the army. There was concert between the heads of the two arms of the service. By the orders which were from time to time issued, our vessels-of-war on the Pacific and the gulf of Mexico were stationed in proper time and in proper positions to co-operate efficiently with the army. By this means their combined power was brought to bear successfully on the enemy.

The great results which have been developed and brought to light by this war will be of immeasurable importance in the future progress of our

country. They will tend powerfully to preserve us from foreign collisions, and to enable us to pursue uninterruptedly our cherished policy of "peace with all nations, entangling alliances with none."

Occupying, as we do, a more commanding position among nations than at any former period, our duties and our responsibilities to ourselves and to posterity are correspondingly increased. This will be the more obvious when we consider the vast additions which have been recently made to our territorial possessions, and their great importance and value.

Within less than four years the annexation of Texas to the Union has been consummated; all conflicting title to the Oregon territory south of the forty-ninth degree of north latitude, being all that was insisted on by any of my predecessors, has been adjusted; and New Mexico and Upper California have been acquired by treaty. The area of these several territories, according to a report carefully prepared by the commissioner of the general land-office, from the most authentic information in his possession, and which is herewith transmitted, contains one million, one hundred and ninety-three thousand, and sixty-one square miles, or seven hundred and sixty three millions, five hundred and fifty-nine thousand, and forty acres; while the area of the remaining twenty-nine states, and the territory not yet organized into states east of the Rocky mountains, contains two millions, fifty-nine thousand, five hundred and thirteen square miles, or thirteen hundred and eighteen millions, one hundred and twenty-six thousand, and fifty-eight acres. These estimates show that the territories recently acquired, and over which our exclusive jurisdiction and dominion have been extended, constitute a country more than half as large as all that which was held by the United States before their acquisition. If Oregon be excluded from the estimate, there will still remain within the limits of Texas, New Mexico, and California, eight hundred and fifty-one thousand, five hundred and ninety-eight square miles, or five hundred and forty-five millions, twelve thousand, seven hundred and twenty acres; being an addition equal to more than one third of all the territory owned by the United States before their acquisition; and including Oregon, nearly as great an extent of territory as the whole of Europe, Russia only excepted. The Mississippi, so lately the frontier of our country, is now only its centre. With the addition of the late acquisitions, the United States are now estimated to be nearly as large as the whole of Europe. It is estimated by the superintendent of the coast survey, in the accompanying report, that the extent of the seacoast of Texas on the gulf Mexico is upward of four hundred miles; of the coast of Upper California, on the Pacific, of nine hundred and seventy miles; and of Oregon, including the straits of Fuca, of six hundred and fifty miles; making the whole extent of seacoast on the Pacific one thousand, six hundred and twenty miles, and the whole extent on both the Pacific and the gulf of Mexico, two thousand and twenty miles. The length of the coast on the Atlantic, from the northern limits of the United States, around the capes of Florida to the Sabine, on the eastern boundary of Texas, is estimated to be three thousand, one hundred miles: so that the addition of seacoast, including Oregon, is very nearly two thirds as great as all we possessed before; and excluding Oregon, is an addition of one thousand, three hundred and seventy miles; being nearly equal to one half of the extent of coast which we possessed before these acquisitions. We have now three great maritime fronts—on the Atlantic, the gulf of Mexico, and the Pacific—making in the whole an extent of seacoast exceeding five thousand miles. This is the extent of the

seacoast of the United States, not including bays, sounds, and small irregularities of the main shore, and of the sea islands. If these be included, the length of the shore line of coast, as estimated by the superintendent of the coast survey in his report, would be thirty-three thousand and sixty-three miles.

It would be difficult to calculate the value of these immense additions to our territorial possessions. Texas, lying contiguous to the western boundary of Louisiana, embracing within its limits a part of the navigable tributary waters of the Mississippi and an extensive seacoast, could not long have remained in the hands of a foreign power without endangering the peace of our southwestern frontier. Her products in the vicinity of the tributaries of the Mississippi must have sought a market through these streams, running into and through our territory; and the danger of irritation and collision of interests between Texas as a foreign state and ourselves would have been imminent, while the embarrassments in the commercial intercourse between them must have been constant and unavoidable. Had Texas fallen into the hands, or under the influence and control of a strong maritime or military foreign power, as she might have done, these dangers would have been still greater. They have been avoided by her voluntary and peaceful annexation to the United States. Texas, from her position, was a natural and almost indispensable part of our territories. Fortunately, she has been restored to our country, and now constitutes one of the states of our confederacy, "upon an equal footing with the original states." The salubrity of climate, the fertility of soil, peculiarly adapted to the production of some of our most valuable staple commodities, and her commercial advantages, must soon make her one of our most populous states.

New Mexico, though situated in the interior, and without a seacoast, is known to contain much fertile land, to abound in rich mines of the precious metals, and to be capable of sustaining a large population. From its position, it is the intermediate and connecting territory between our settlements and our possessions in Texas and those on the Pacific coast.

Upper California, irrespective of the vast mineral wealth recently developed there, holds at this day, in point of value and importance to the rest of the Union, the same relation that Louisiana did when that fine territory was acquired from France forty-five years ago. Extending nearly ten degrees of latitude along the Pacific, and embracing the only safe and commodious harbors on that coast for many hundred miles, with a temperate climate, and an extensive interior of fertile lands, it is scarcely possible to estimate its wealth until it shall be brought under the government of our laws, and its resources fully developed. From its position, it must command the rich commerce of China, of Asia, of the islands of the Pacific, of western Mexico, of Central America, the South American states, and of the Russian possessions bordering on that ocean. A great emporium will doubtless speedily arise on the Californian coast, which may be destined to rival in importance New Orleans itself. The depot of the vast commerce which must exist on the Pacific will probably be at some point on the bay of San Francisco, and will occupy the same relation to the whole western coast of that ocean as New Orleans does to the valley of the Mississippi and the gulf of Mexico. To this depot our numerous whale-ships will resort with their cargoes, to trade, refit, and obtain supplies. This of itself will largely contribute to build up a city which would soon become the centre of a great and rapidly-increasing commerce. Sit-

uated on a safe harbor, sufficiently capacious for all the navies as well as the marine of the world, and convenient to excellent timber for ship-building, owned by the United States, it must become our great western naval depot.

It was known that mines of the precious metals existed to a considerable extent in California at the time of its acquisition. Recent discoveries render it probable that these mines are more extensive and valuable than was anticipated. The accounts of the abundance of gold in that territory are of such an extraordinary character as would scarcely command belief were they not corroborated by the authentic reports of officers in the public service, who have visited the mineral district, and derived the facts which they detail from personal observation. Reluctant to credit the reports in general circulation as to the quantity of gold, the officer commanding our forces in California visited the mineral district in July last, for the purpose of obtaining accurate information on the subject. His report to the war department of the result of his examination, and the facts obtained on the spot, is herewith laid before Congress. When he visited the country there were about four thousand persons engaged in collecting gold. There is every reason to believe that the number of persons so employed has since been augmented. The explorations already made warrant the belief that the supply is very large, and that gold is found at various places in an extensive district of country.

Information received from officers of the navy and other sources, though not so full and minute, confirm the accounts of the commander of our military force in California. It appears, also, from these reports, that mines of quicksilver are found in the vicinity of the gold region. One of them is now being worked, and is believed to be among the most productive in the world.

The effects produced by the discovery of these rich mineral deposits, and the success which has attended the labors of those who have resorted to them, have produced a surprising change in the state of affairs in California. Labor commands a most exorbitant price, and all other pursuits but that of searching for the precious metals, are abandoned. Nearly the whole of the male population of the country have gone to the gold districts. Ships arriving on the coast are deserted by their crews, and their voyages suspended for want of sailors. Our commanding officer there entertains apprehensions that soldiers can not be kept in the public service without a large increase of pay. Desertions in his command have become frequent, and he recommends that those who shall withstand the strong temptation, and remain faithful, should be rewarded.

This abundance of gold, and the all-engrossing pursuit of it, have already caused in California an unprecedented rise in the price of all the necessities of life.

That we may the more speedily and fully avail ourselves of the undeveloped wealth of these mines, it is deemed of vast importance that a branch of the mint of the United States be authorized to be established, at your present session, in California. Among other signal advantages which would result from such an establishment would be that of raising the gold to its par value in that territory. A branch mint of the United States at the great commercial depot on the west coast would convert into our own coin not only the gold derived from our own rich mines, but also the bullion and specie which our commerce may bring from the whole west coast of Central and South America. The west coast of America and the adja-

cent interior embrace the richest and best mines in Mexico, New Grenada, Central America, Chili, and Peru. The bullion and specie drawn from these countries, and especially from those of western Mexico and Peru, to an amount in value of many millions of dollars, are now annually diverted and carried by the ships of Great Britain to her own ports, to be recoined or used to sustain her national bank, and thus contribute to increase her ability to command so much of the commerce of the world. If a branch mint be established at the great commercial point upon that coast, a vast amount of bullion and specie would flow thither to be recoined, and pass thence to New Orleans, New York, and other Atlantic cities. The amount of our constitutional currency at home would be greatly increased, while its circulation abroad would be promoted. It is well known to our merchants trading to China and the west coast of America, that great inconvenience and loss are experienced from the fact that our coins are not current at their par value in those countries.

The powers of Europe far removed from the west coast of America by the Atlantic ocean which intervenes, and by a tedious and dangerous navigation around the southern cape of the continent of America, can never successfully compete with the United States in the rich and extensive commerce which is opened to us at so much less cost by the acquisition of California.

The vast importance and commercial advantages of California have heretofore remained undeveloped by the government of the country of which it constituted a part. Now that this fine province is a part of our country, all the states of the Union, some more immediately and directly than others, are deeply interested in the speedy development of its wealth and resources. No section of our country is more interested, or will be more benefited, than the commercial, navigating, and manufacturing interests of the eastern states. Our planting and farming interests, in every part of the Union, will be greatly benefited by it. As our commerce and navigation are enlarged and extended, our exports of agricultural products and of manufactures will be increased; and in the new markets thus opened they can not fail to command remunerating and profitable prices.

The acquisition of California and New Mexico, the settlement of the Oregon boundary, and the annexation of Texas, extending to the Rio Grande, are results which, combined, are of greater consequence, and will add more to the strength and wealth of the nation, than any which have preceded them since the adoption of the constitution.

But to effect these great results, not only California, but New Mexico, must be brought under the control of regularly-organized governments. The existing condition of California, and of that part of New Mexico lying west of the Rio Grande, and without the limits of Texas, imperiously demand that Congress should, at its present session, organize territorial governments over them.

Upon the exchange of ratifications of the treaty of peace with Mexico, on the thirtieth of May last, the temporary governments which had been established over New Mexico and California by our military and naval commanders, by virtue of the rights of war, ceased to derive any obligatory force from that source of authority; and having been ceded to the United States, all government and control over them under the authority of Mexico had ceased to exist. Impressed with the necessity of establishing territorial governments over them, I recommended the subject to the favorable consideration of Congress in my message communicating the ratified

treaty of peace, on the sixth of July last, and invoked their action at that session. Congress adjourned without making any provision for their government. The inhabitants, by the transfer of their country, had become entitled to the benefits of our laws and constitution, and yet were left without any regularly-organized government. Since that time, the very limited power possessed by the executive has been exercised to preserve and protect them from the inevitable consequences of a state of anarchy. The only government which remained was that established by the military authority during the war. Regarding this to be a *de-facto* government, and that by the presumed consent of the inhabitants it might be continued temporarily, they were advised to conform and submit to it for the short intervening period before Congress would again assemble and could legislate on the subject. The views entertained by the executive on this point are contained in a communication of the secretary of state, dated the seventh of October last, which was forwarded for publication to California and New Mexico, a copy of which is herewith transmitted.

The small military force of the regular army, which was serving within the limits of the acquired territories at the close of the war, was retained in them, and additional forces have been ordered there for the protection of the inhabitants, and to preserve and secure the rights and interests of the United States.

No revenue has been or could be collected at the ports in California, because Congress failed to authorize the establishment of customhouses, or the appointment of officers for that purpose.

The secretary of the treasury, by a circular letter addressed to collectors of the customs, on the seventh day of October last, a copy of which is herewith transmitted, exercised all the power with which he was invested by law.

In pursuance of the act of the fourteenth of August last, extending the benefit of our postoffice laws to the people of California, the postmaster-general has appointed two agents, who have proceeded, the one to California and the other to Oregon, with authority to make the necessary arrangements for carrying its provisions into effect.

The monthly line of mail-steamers from Panama to Astoria has been required to "stop, and deliver and take mails, at San Diego, Monterey, and San Francisco." These mail-steamers, connected by the isthmus of Panama with the line of mail-steamers on the Atlantic between New York and Chagres, will establish a regular mail communication with California.

It is our solemn duty to provide, with the least practicable delay, for New Mexico and California, regularly-organized territorial governments. The causes of the failure to do this at the last session of Congress are well known, and deeply to be regretted. With the opening prospects of increased prosperity and national greatness which the acquisition of these rich and extensive territorial possessions affords, how irrational it would be to forego or to reject these advantages, by the agitation of a domestic question which is coeval with the existence of our government itself, and to endanger, by internal strifes, geographical divisions, and heated contests for political power, or for any other cause, the harmony of the glorious Union of our confederated states; that Union which binds us together as one people, and which for sixty years has been our shield and protection against every danger. In the eyes of the world, and of posterity, how trivial and insignificant will be all our internal divisions and struggles, compared with the preservation of this Union of the states in all its vigor

and with all its countless blessings ! No patriot would foment and excite geographical and sectional divisions. No lover of his country would deliberately calculate the value of the Union. Future generations would look in amazement upon the folly of such a course. Other nations at the present day would look upon it with astonishment ; and such of them as desire to maintain and perpetuate thrones and monarchical or aristocratical principles, will view it with exultation and delight, because in it they will see the elements of faction, which they hope must ultimately overturn our system. Ours is the great example of a prosperous and free self-governed republic, commanding the admiration and the imitation of all the lovers of freedom throughout the world. How solemn, therefore, is the duty—how impressive the call upon us, and upon all parts of our country—to cultivate a patriotic spirit of harmony, of good fellowship, of compromise and mutual concession, in the administration of the incomparable system of government formed by our fathers in the midst of almost insuperable difficulties, and transmitted to us, with the injunction that we should enjoy its blessings and hand it down unimpaired to those who may come after us.

In view of the high and responsible duties which we owe to ourselves and to mankind, I trust you may be able, at your present session, to approach the adjustment of the only domestic question which seriously threatens, or probably ever can threaten, to disturb the harmony and successful operations of our system.

The immensely valuable possessions of New Mexico and California are already inhabited by a considerable population. Attracted by their great fertility, their mineral wealth, their commercial advantages, and the salubrity of the climate, emigrants from the older states, in great numbers, are already preparing to seek new homes in these inviting regions.

Shall the dissimilarity of the domestic institutions in the different states prevent us from providing for them suitable governments ? These institutions existed at the adoption of the constitution ; but the obstacles which they interposed were overcome by that spirit of compromise which is now invoked. In a conflict of opinions or of interests, real or imaginary, between different sections of our country, neither can justly demand all which it might desire to obtain. Each, in the true spirit of our institutions, should concede something to the other.

Our gallant forces in the Mexican war, by whose patriotism and unparalleled deeds of arms we obtained those possessions as an indemnity for our just demands against Mexico, were composed of citizens who belonged to no one state or section of our Union. They were men from slaveholding and non-slaveholding states, from the north and the south, from the east and the west. They were all companions-in-arms, and fellow-citizens of the same common country, engaged in the same common cause. When prosecuting that war, they were brethren and friends, and shared alike with each other common toils, dangers, and sufferings. Now, when their work is ended, when peace is restored, and they return again to their homes, put off the habiliments of war, take their places in society, and resume their pursuits in civil life, surely a spirit of harmony and concession, and of equal regard for the rights of all, and of all sections of the Union, ought to prevail in providing governments for the acquired territories—the fruits of their common service. The whole people of the United States, and of every state, contributed to defray the expenses of that war ; and it would not be just for any one section to exclude another from all participation in the acquired territory. This would not be in conso-

nance with the just system of government which the framers of the constitution adopted.

The question is believed to be rather abstract than practical, whether slavery ever can or would exist in any portion of the acquired territory, even if it were left to the option of the slaveholding states themselves. From the nature of the climate and productions, in much the larger portion of it, it is certain it could never exist; and in the remainder, the probabilities are it would not. But, however this may be, the question, involving as it does a principle of equality of rights of the separate and several states, as equal co-partners in the confederacy, should not be disregarded.

In organizing governments over these territories, no duty imposed on Congress by the constitution requires that they should legislate on the subject of slavery, while their power to do so is not only seriously questioned, but denied by many of the soundest expounders of that instrument. Whether Congress shall legislate or not, the people of the acquired territories, when assembled in convention to form state constitutions, will possess the sole and exclusive power to determine for themselves whether slavery shall or shall not exist within their limits. If Congress shall abstain from interfering with the question, the people of these territories will be left free to adjust it as they may think proper, when they apply for admission as states into the Union. No enactment of Congress could restrain the people of any of the sovereign states of the Union, old or new, north or south; slaveholding or non-slaveholding, from determining the character of their own domestic institutions as they may deem wise and proper. Any and all the states possess this right, and Congress can not deprive them of it. The people of Georgia might, if they chose, so alter their constitution as to abolish slavery within its limits; and the people of Vermont might so alter their constitution as to admit slavery within its limits. Both states would possess the right; though, as all know, it is not probable that either would exert it.

It is fortunate for the peace and harmony of the Union that this question is in its nature temporary; and can only continue for the brief period which will intervene before California and New Mexico may be admitted as states into the Union. From the tide of population now flowing into them, it is highly probable that this will soon occur.

Considering the several states and the citizens of the several states as equals, and entitled to equal rights under the constitution, if this were an original question, it might well be insisted on that the principle of non-interference is the true doctrine, and that Congress could not, in the absence of any express grant of power, interfere with their relative rights. Upon a great emergency, however, and under menacing dangers to the Union, the Missouri compromise line in respect to slavery was adopted. The same line was extended further west in the acquisition of Texas. After an acquiescence of nearly thirty years in the principle of compromise recognised and established by these acts, and to avoid the danger to the Union which might follow if it were now disregarded, I have heretofore expressed the opinion that that line of compromise should be extended on the parallel of thirty-six degrees thirty minutes from the western boundary of Texas, where it now terminates, to the Pacific ocean. This is the middle ground of compromise, upon which the different sections of the Union may meet, as they have heretofore met. If this be done, it is confidently believed a large majority of the people of every section of the

country, however widely their abstract opinions on the subject of slavery may differ, would cheerfully and patriotically acquiesce in it, and peace and harmony would again fill our borders.

The restriction north of the line was only yielded to in the case of Missouri and Texas upon a principle of compromise, made necessary for the sake of preserving the harmony, and, possibly, the existence of the Union.

It was upon these considerations that at the close of your last session, I gave my sanction to the principle of the Missouri compromise line, by approving and signing the bill to establish "the territorial government of Oregon." From a sincere desire to preserve the harmony of the Union, and in deference to the acts of my predecessors, I felt constrained to yield my acquiescence to the extent to which they had gone in compromising this delicate and dangerous question. But if Congress shall now reverse the decision by which the Missouri compromise was effected, and shall propose to extend the restriction over the whole territory, south as well as north of the parallel of thirty-six degrees thirty minutes, it will cease to be a compromise, and must be regarded as an original question.

If Congress, instead of observing the course of non-interference, leaving the adoption of their own domestic institutions to the people who may inhabit these territories; or if, instead of extending the Missouri compromise line to the Pacific, shall prefer to submit the legal and constitutional questions which may arise to the decision of the judicial tribunals, as was proposed in a bill which passed the senate at your last session, an adjustment may be effected in this mode. If the whole subject be referred to the judiciary, all parts of the Union should cheerfully acquiesce in the final decision of the tribunal created by the constitution for the settlement of all questions which may arise under the constitution, treaties, and laws, of the United States.

Congress is earnestly invoked, for the sake of the Union, its harmony, and our continued prosperity as a nation, to adjust at its present session this, the only dangerous question which lies in our path—if not in some one of the modes suggested, in some other which may be satisfactory.

In anticipation of the establishment of regular governments over the acquired territories, a joint commission of officers of the army and navy has been ordered to proceed to the coast of California and Oregon, for the purpose of making *reconnoissances* and a report as to the proper sites for the erection of fortifications or other defensive works on land, and of suitable situations for naval stations. The information which may be expected from a scientific and skilful examination of the whole face of the coast will be eminently useful to Congress, when they come to consider the propriety of making appropriations for these great national objects. Proper defences on land will be necessary for the security and protection of our possessions; and the establishment of navyyards, and a dock for the repair and construction of vessels, will be important alike to our navy and commercial marine. Without such establishments, every vessel, whether of the navy or of the merchant service, requiring repair, must, at great expense, come round Cape Horn to one of our Atlantic yards for that purpose. With such establishments, vessels, it is believed, may be built or repaired as cheaply in California as upon the Atlantic coast. They would give employment to many of our enterprising ship-builders and mechanics, and greatly facilitate and enlarge our commerce in the Pacific.

As it is ascertained that mines of gold, silver, copper, and quicksilver, exist in New Mexico and California, and that nearly all the lands where

they are found belong to the United States, it is deemed important to the public interests that provision should be made for a geological and mineralogical examination of these regions. Measures should be adopted to preserve the mineral lands, especially such as contain the precious metals, for the use of the United States; or if brought into market, to separate them from the farming lands, and dispose of them in such manner as to secure a large return of money to the treasury, and at the same time lead to the development of their wealth by individual proprietors and purchasers. To do this, it will be necessary to provide for an immediate survey and location of the lots. If Congress should deem it proper to dispose of the mineral lands they should be sold in small quantities, and at a fixed minimum price.

I recommend that surveyor-generals' offices be authorized to be established in New Mexico and California, and provision made for surveying and bringing the public lands into market at the earliest practicable period. In disposing of these lands, I recommend that the right of pre-emption be secured, and liberal grants made, to the early emigrants who have settled or may settle upon them.

It will be important to extend our revenue laws over these territories, and especially over California, at an early period. There is already a considerable commerce with California; and until ports of entry shall be established and collectors appointed, no revenue can be received.

If these and other necessary and proper measures be adopted for the development of the wealth and resources of New Mexico and California, and regular territorial governments be established over them, such will probably be the rapid enlargement of our commerce and navigation, and such the addition to the national wealth, that the present generation may live to witness the controlling commercial and monetary power of the world transferred from London and other European emporiums to the city of New York.

The apprehensions which were entertained by some of our statesmen, in the earlier periods of the government, that our system was incapable of operating with sufficient energy and success over largely-extended territorial limits, and that if this were attempted, it would fall to pieces by its own weakness, have been dissipated by our experience. By the division of power between the states and federal government, the latter is found to operate with as much energy in the extremes as in the centre. It is as efficient in the remotest of the thirty states which now compose the Union, as it was in the thirteen states which formed our constitution. Indeed, it may well be doubted, whether, if our present population had been confined within the limits of the original thirteen states, the tendencies to centralization and consolidation would not have been such as to have encroached upon the essential reserved rights of the states, and thus to have made the federal government a widely different one, practically, from what it is in theory, and was intended to be by its framers. So far from entertaining apprehensions of the safety of our system by the extension of our territory, the belief is confidently entertained that each new state gives strength and an additional guaranty for the preservation of the Union itself.

In pursuance of the provisions of the thirteenth article of the treaty of peace, friendship, limits, and settlement, with the republic of Mexico, and of the act of July 29, 1848, claims of our citizens which had been "already liquidated and decided against the Mexican republic," amounting, with the interest thereon, to two millions, twenty-three thousand, eight hundred

and thirty-two dollars and fifty-one cents, have been liquidated and paid. There remain to be paid of these claims, seventy-four thousand, one hundred and ninety-two dollars and twenty-six cents.

Congress at its last session having made no provision for executing the fifteenth article of the treaty, by which the United States assume to make satisfaction for the "unliquidated claims" of our citizens against Mexico, to "an amount not exceeding three and a quarter millions of dollars," the subject is again recommended to your favorable consideration.

The exchange of ratifications of the treaty with Mexico took place on the 30th of May, 1848. Within one year after that time, the commissioner and surveyor which each government stipulates to appoint, are required to meet "at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte." It will be seen from this provision, that the period within which a commissioner and surveyor of the respective governments are to meet at San Diego, will expire on the 30th of May, 1849. Congress, at the close of its last session, made an appropriation for "the expenses of running and marking the boundary line" between the two countries, but did not fix the amount of salary which should be paid to the commissioner and surveyor to be appointed on the part of the United States. It is desirable that the amount of compensation which they shall receive should be prescribed by law, and not left, as at present, to executive discretion.

Measures were adopted at the earliest practicable period to organize the "territorial government of Oregon," as authorized by the act of the 14th of August last. The governor and marshal of the territory, accompanied by a small military escort, left the frontier of Missouri in September last, and took the southern route, by the way of Santa Fe and the river Gila, to California, with the intention of proceeding thence in one of our vessels-of-war to their destination. The governor was fully advised of the great importance of his early arrival in the country, and it is confidently believed he may reach Oregon in the latter part of the present month, or early in the next. The other officers for the territory have proceeded by sea.

In the month of May last, I communicated information to Congress that an Indian war had broken out in Oregon, and recommended that authority be given to raise an adequate number of volunteers to proceed without delay to the assistance of our fellow-citizens in that territory. The authority to raise such a force not having been granted by Congress, as soon as their services could be dispensed with in Mexico, orders were issued to the regiment of mounted riflemen to proceed to Jefferson barracks, in Missouri, and to prepare to march to Oregon as soon as the necessary provision could be made. Shortly before it was ready to march, it was arrested by the provision of the act passed by Congress on the last day of the last session, which directed that all the non-commissioned officers, musicians, and privates, of that regiment, who had been in service in Mexico, should, upon their application, be entitled to be discharged. The effect of this provision was to disband the rank and file of the regiment; and before their places could be filled by recruits, the season had so far advanced that it was impracticable for it to proceed until the opening of the next spring.

In the month of October last, the accompanying communication was received from the governor of the temporary government of Oregon, giving information of the continuance of the Indian disturbances, and of the destitution and defenceless condition of the inhabitants. Orders were imme-

diately transmitted to the commander of the squadron in the Pacific, to despatch to their assistance a part of the naval forces on that station, to furnish them with arms and ammunition, and to continue to give them such aid and protection as the navy could afford, until the army could reach the country.

It is the policy of humanity, and one which has always been pursued by the United States, to cultivate the good will of the aboriginal tribes of this continent, and to restrain them from making war, and indulging in excesses, by mild means, rather than by force. That this could have been done with the tribes in Oregon, had that territory been brought under the government of our laws at an earlier period, and had suitable measures been adopted by Congress, such as now exist in our intercourse with the other Indian tribes within our limits, can not be doubted. Indeed, the immediate and only cause of the existing hostility of the Indians of Oregon is represented to have been, the long delay of the United States in making to them some trifling compensation, in such articles as they wanted, for the country now occupied by our emigrants, which the Indians claimed, and over which they formerly roamed. This compensation had been promised them by the temporary government established in Oregon, but its fulfilment had been postponed from time to time, for nearly two years, while those who made it had been anxiously waiting for Congress to establish a territorial government over the country. The Indians became at length distrustful of their good faith, and sought redress by plunder and massacre, which finally led to the present difficulties. A few thousand dollars in suitable presents, as a compensation for the country which had been taken possession of by our citizens, would have satisfied the Indians, and have prevented the war. A small amount properly distributed, it is confidently believed, would soon restore quiet. In this Indian war our fellow-citizens of Oregon have been compelled to take the field in their own defence, have performed valuable military services, and been subjected to expenses which have fallen heavily upon them. Justice demands that provision should be made by Congress to compensate them for their services, and to refund to them the necessary expenses which they have incurred.

I repeat the recommendation heretofore made to Congress, that provision be made for the appointment of a suitable number of Indian agents to reside among the tribes of Oregon, and that a small sum be appropriated to enable these agents to cultivate friendly relations with them. If this be done, the presence of a small military force will be all that is necessary to keep them in check, and preserve peace.

I recommend that similar provision be made as regards the tribes inhabiting northern Texas, New Mexico, California, and the extensive region lying between our settlements in Missouri and these possessions, as the most effective means of preserving peace upon our borders, and within the recently-acquired territories.

The secretary of the treasury will present, in his annual report, a highly satisfactory statement of the condition of the finances.

The imports for the fiscal year ending on the thirtieth of June last, were of the value of one hundred and fifty-four millions, nine hundred and seventy-seven thousand, eight hundred and seventy-six dollars; of which the amount exported was twenty-one millions, one hundred and twenty-eight thousand and ten dollars; leaving one hundred and thirty-three mill-

ions, eight hundred and forty-nine thousand, eight hundred and sixty-six dollars in the country, for domestic use.

The value of the exports for the same period, was one hundred and fifty-four millions, thirty-two thousand, one hundred and thirty-one dollars; consisting of domestic productions amounting to one hundred and thirty-two millions, nine hundred and four thousand, one hundred and twenty-one dollars, and twenty-one millions, one hundred and twenty-eight thousand and ten dollars of foreign articles.

The receipts into the treasury for the same period, exclusive of loans, amounted to thirty-five millions, four hundred and thirty-six thousand, seven hundred and fifty dollars and fifty-nine cents; of which there was derived from customs, thirty-one millions, seven hundred and fifty-seven thousand and seventy dollars and ninety-six cents; from sales of public lands, three millions, three hundred and twenty-eight thousand, six hundred and forty-two dollars and fifty-six cents; and from miscellaneous and incidental sources, three hundred and fifty-one thousand and thirty-seven dollars and seven cents.

It will be perceived that the revenue from customs for the last fiscal year exceeded, by seven hundred and fifty-seven thousand and seventy dollars and ninety-six cents, the estimate of the secretary of the treasury in his last annual report; and that the aggregate receipts during the same period, from customs, lands, and miscellaneous sources, also exceeded the estimate by the sum of five hundred and thirty-six thousand, seven hundred and fifty dollars and fifty-nine cents; indicating, however, a very near approach in the estimate to the actual result.

The expenditures during the fiscal year ending on the 30th of June last, including those for the war, and exclusive of payments of original and interest for the public debt, were forty-two millions, eight hundred and eleven thousand, nine hundred and seventy dollars and three cents.

It is estimated that the receipts into the treasury for the fiscal year ending on the 30th of June, 1849, including the balance in the treasury on the 1st of July last, will amount to the sum of fifty-seven millions, forty-eight thousand, nine hundred and sixty-nine dollars and ninety cents; of which thirty-two millions of dollars, it is estimated, will be derived from customs; three millions of dollars from the sales of the public lands; and one million, two hundred thousand dollars from miscellaneous and incidental sources, including the premium upon the loan, and the amount paid and to be paid into the treasury on account of military contributions in Mexico, and the sales of arms and vessels and other public property rendered unnecessary for the use of the government by the termination of the war; and twenty millions, six hundred and ninety-five thousand, four hundred and thirty-five dollars and thirty cents from loans already negotiated, including treasury-notes funded, which, together with the balance in the treasury on the first of July last, make the sum estimated.

The expenditures for the same period, including the necessary payment on account of the principal and interest of the public debt, and the principal and interest of the first instalment due to Mexico on the 30th of May next, and other expenditures growing out of the war, to be paid during the present year, will amount, including the reimbursement of treasury-notes, to the sum of fifty-four millions, one hundred and ninety-five thousand, two hundred and seventy-five dollars and six cents; leaving an estimated balance in the treasury on the 1st of July, 1849, of two millions, eight hun-

dred and fifty-three thousand, six hundred and ninety-four dollars and eighty-four cents.

The secretary of the treasury will present, as required by law, the estimates of the receipts and expenditures for the next fiscal year. The expenditures as estimated for that year are thirty-three millions, two hundred and thirteen thousand, one hundred and fifty-two dollars and seventy-three cents, including three millions, seven hundred and ninety-nine thousand, one hundred and two dollars and eighteen cents for the interest on the public debt, and three millions, five hundred and forty thousand dollars for the principal and interest due to Mexico on the 30th of May, 1850; leaving the sum of twenty-five millions, eight hundred and seventy-four thousand and fifty dollars and thirty-five cents; which, it is believed, will be ample for the ordinary peace expenditures.

The operations of the tariff act of 1846 have been such during the past year as fully to meet the public expectation, and to confirm the opinion heretofore expressed of the wisdom of the change in our revenue system which was effected by it. The receipts under it into the treasury for the first fiscal year after its enactment exceeded by the sum of five millions, forty-four thousand, four hundred and three dollars and nine cents, the amount collected during the last fiscal year under the tariff act of 1842, ending the 30th of June, 1846. The total revenue realized from the commencement of its operation, on the first of December, 1846, until the close of the last quarter, on the 30th of September last, being twenty-two months, was fifty-six millions, six hundred and fifty-four thousand, five hundred and sixty-three dollars and seventy-nine cents—being a much larger sum than was ever before received from duties during any equal period under the tariff acts of 1824, 1828, 1832, and 1842. While by the repeal of highly-protective and prohibitory duties the revenue has been increased, the taxes on the people have been diminished. They have been relieved from the heavy amounts with which they were burdened under former laws in the form of increased prices or bounties paid to favored classes and pursuits.

The predictions which were made, that the tariff act of 1846 would reduce the amount of revenue below that collected under the act of 1842, and would prostrate the business and destroy the prosperity of the country, have not been verified. With an increased and increasing revenue, the finances are in a highly flourishing condition. Agriculture, commerce, and navigation, are prosperous; the prices of manufactured fabrics, and of other products, are much less injuriously affected than was to have been anticipated, from the unprecedented revulsions, which, during the last and the present year, have overwhelmed the industry and paralyzed the credit and commerce of so many great and enlightened nations of Europe.

Severe commercial revulsions abroad have always heretofore operated to depress, and often to affect disastrously, almost every branch of American industry. The temporary depression of a portion of our manufacturing interests is the effect of foreign causes, and is far less severe than has prevailed on all former similar occasions.

It is believed that, looking to the great aggregate of all our interests, the whole country was never more prosperous than at the present period, and never more rapidly advancing in wealth and population. Neither the foreign war in which we have been involved, nor the loans which have absorbed so large a portion of our capital, nor the commercial revulsion in Great Britain in 1847, nor the paralysis of credit and commerce throughout Europe in 1848, has affected injuriously to any considerable extent

any of the great interests of the country, or arrested our onward march to greatness, wealth, and power.

Had the disturbances in Europe not occurred, our commerce would undoubtedly have been still more extended, and would have added still more to the national wealth and public prosperity. But notwithstanding these disturbances, the operations of the revenue system established by the tariff act of 1846, have been so generally beneficial to the government and the business of the country, that no change in its provisions is demanded by a wise public policy, and none is recommended.

The operations of the constitutional treasury, established by the act of the 6th of August, 1846, in the receipt, custody, and disbursement of the public money, have continued to be successful. Under this system the public finances have been carried through a foreign war, involving the necessity of loans and extraordinary expenditures, and requiring distant transfers and disbursements, without embarrassment, and no loss has occurred of any of the public money deposited under its provisions. While it has proved to be safe and useful to the government, its effects have been most beneficial upon the business of the country. It has tended powerfully to secure an exemption from that inflation and fluctuation of the paper currency, so injurious to domestic industry, and rendering so uncertain the rewards of labor, and it is believed has largely contributed to preserve the whole country from a serious commercial revulsion, such as often occurred under the bank deposit system. In the year 1847, there was a revulsion in the business of Great Britain of great extent and intensity, which was followed by failures in that kingdom unprecedented in number and amount of losses. This is believed to be the first instance when such disastrous bankruptcies, occurring in a country with which we have such extensive commerce, produced little or no injurious effect upon our trade or currency. We remained but little affected in our money-market, and our business and industry were still prosperous and progressive.

During the present year, nearly the whole continent of Europe has been convulsed by civil war and revolutions, attended by numerous bankruptcies, by an unprecedented fall in their public securities, and an almost universal paralysis of commerce and industry; and yet, although our trade and the price of our products must have been somewhat unfavorably affected by these causes, we have escaped a revulsion, our money-market is comparatively easy, and public and private credit have advanced and improved.

It is confidently believed that we have been saved from their effect by the salutary operation of the constitutional treasury. It is certain, that if the twenty-four millions of specie imported into the country during the fiscal year ending on the 30th of June, 1847, had gone into the banks, as to a great extent it must have done, it would, in the absence of this system, have been made the basis of augmented bank paper issues, probably to an amount not less than sixty or seventy millions of dollars, producing, as an inevitable consequence of an inflated currency, extravagant prices for a time, and wild speculation, which must have been followed, on the reflux to Europe, the succeeding year, of so much of that specie, by the prostration of the business of the country, the suspension of the banks, and most extensive bankruptcies. Occurring, as this would have done, at a period when the country was engaged in a foreign war; when considerable loans of specie were required for distant disbursements; and when the banks, the fiscal agents of the government, and the depositories of its

money, were suspended,—the public credit must have sunk, and many millions of dollars, as was the case during the war of 1812, must have been sacrificed in discounts upon loans, and upon the depreciated paper currency which the government would have been compelled to use.

Under the operations of the constitutional treasury, not a dollar has been lost by the depreciation of the currency. The loans required to prosecute the war with Mexico were negotiated by the secretary of the treasury above par, realizing a large premium to the government. The restraining effect of the system upon the tendencies to excessive paper issues by banks has saved the government from heavy losses, and thousands of our business men from bankruptcy and ruin. The wisdom of the system has been tested by the experience of the last two years, and it is the dictate of sound policy that it should remain undisturbed. The modifications in some of the details of this measure, involving none of its essential principles, heretofore recommended, are again presented for your favorable consideration.

In my message of the 6th of July last, transmitting to Congress the ratified treaty of peace with Mexico, I recommended the adoption of measures for the speedy payment of the public debt. In reiterating that recommendation, I refer you to the considerations presented in that message in its support. The public debt, including that authorized to be negotiated, in pursuance of existing laws, and including treasury-notes, amounted at that time to sixty-five millions, seven hundred and seventy-eight thousand, four hundred and fifty dollars and forty-one cents.

Funded stock of the United States, amounting to about half a million of dollars, has been purchased, as authorized by law, since that period, and the public debt has thus been reduced; the details of which will be presented in the annual report of the secretary of the treasury.

The estimates of expenditures for the next fiscal year, submitted by the secretary of the treasury, it is believed will be ample for all necessary purposes. If the appropriations made by Congress shall not exceed the amount estimated, the means in the treasury will be sufficient to defray all the expenses of the government; to pay off the next instalment of three millions of dollars to Mexico, which will fall due on the 30th of May next; and still a considerable surplus will remain, which should be applied to the further purchase of the public stock and reduction of the debt. Should enlarged appropriations be made, the necessary consequence will be to postpone the payment of the debt. Though our debt, as compared with that of most other nations, is small, it is our true policy, and in harmony with the genius of our institutions, that we should present to the world the rare spectacle of a great republic, possessing vast resources and wealth, wholly exempt from public indebtedness. This would add still more to our strength, and give to us a still more commanding position among the nations of the earth.

The public expenditures should be economical, and be confined to such necessary objects as are clearly within the powers of Congress. All such as are not absolutely demanded should be postponed, and the payment of the public debt, at the earliest practicable period, should be a cardinal principle of our public policy.

For the reason assigned in my last annual message, I repeat the recommendation that a branch of the mint of the United States be established at the city of New York. The importance of this measure is greatly

increased by the acquisition of the rich mines of the precious metals in New Mexico and California, and especially in the latter.

I repeat the recommendation, heretofore made, in favor of the graduation and reduction of the price of such of the public lands as have been long offered in the market and have remained unsold, and in favor of extending the rights of pre-emption to actual settlers on the unsurveyed as well as the surveyed lands.

The condition and operations of the army, and the state of other branches of the public service under the supervision of the war department, are satisfactorily presented in the accompanying report of the secretary of war.

On the return of peace, our forces were withdrawn from Mexico, and the volunteers and that portion of the regular army engaged for the war were disbanded. Orders have been issued for stationing the forces of our permanent establishment at various positions in our extended country, where troops may be required. Owing to the remoteness of some of these positions, the detachments have not yet reached their destination. Notwithstanding the extension of the limits of our country, and the forces required in the new territories, it is confidently believed that our present military establishment is sufficient for all exigencies, so long as our peaceful relations remain undisturbed.

Of the amount of military contributions collected in Mexico, the sum of seven hundred and sixty-nine thousand six hundred and fifty dollars was applied toward the payment of the first instalment due under the treaty with Mexico. The further sum of three hundred and forty-six thousand three hundred and sixty-nine dollars and thirty cents has been paid into the treasury, and unexpended balances still remain in the hands of disbursing officers and those who were engaged in the collection of these moneys. After the proclamation of peace, no further disbursements were made of any unexpended moneys arising from this source. The balances on hand were directed to be paid into the treasury, and individual claims on the fund will remain unadjusted until Congress shall authorize their settlement and payment. These claims are not considerable in number or amount.

I recommend to your favorable consideration the suggestions of the secretary of war and the secretary of the navy in regard to legislation on this subject.

Our Indian relations are presented in a most favorable view in the report from the war department. The wisdom of our policy in regard to the tribes within our limits, is clearly manifested by their improved and rapidly-improving condition.

A most important treaty with the Menomonies has been recently negotiated by the commissioner of Indian affairs in person, by which all their land in the state of Wisconsin—being about four millions of acres—has been ceded to the United States. This treaty will be submitted to the senate for ratification at an early period of your present session.

Within the last four years, eight important treaties have been negotiated with different Indian tribes, and at a cost of one million eight hundred and forty-two thousand dollars; Indian lands to the amount of more than eighteen millions, five hundred thousand acres, have been ceded to the United States; and provision has been made for settling in the country west of the Mississippi the tribes which occupied this large extent of the public domain. The title to all the Indian lands within the several

states of our Union, with the exception of a few small reservations, is now extinguished, and a vast region opened for settlement and cultivation.

The accompanying report of the secretary of the navy gives a satisfactory exhibit of the operations and condition of that branch of the public service.

A number of small vessels suitable for entering the mouths of rivers were judiciously purchased during the war, and gave great efficiency to the squadron in the gulf of Mexico. On the return of peace, when no longer valuable for naval purposes, and liable to constant deterioration, they were sold, and the money placed in the treasury.

The number of men in the naval service authorized by law, during the war, has been reduced by discharges below the maximum fixed for the peace establishment. Adequate squadrons are maintained in the several quarters of the globe where experience has shown their services may be most usefully employed; and the naval service was never in a condition of higher discipline or greater efficiency.

I invite attention to the recommendation of the secretary of the navy on the subject of the marine corps. The reduction of the corps at the end of the war required that four officers of each of the three lower grades should be dropped from the rolls. A board of officers made the selection; and those designated were necessarily dismissed, but without any alleged fault. I concur in opinion with the secretary, that the service would be improved by reducing the number of landsmen, and increasing the marines. Such a measure would justify an increase of the number of officers to the extent of the reduction by dismissal, and still the corps would have fewer officers than a corresponding number of men in the army.

The contracts for the transportation of the mail in steamships, convertible into war-steamers, promise to realize all the benefits to our commerce and to the navy which were anticipated. The first steamer thus secured to the government was launched in January, 1847. There are now seven; and in another year there will, probably, be not less than seventeen afloat. While this great national advantage is secured, our social and commercial intercourse is increased and promoted with Germany, Great Britain, and other parts of Europe, with all the countries on the west coast of our continent, especially with Oregon and California, and between the northern and southern sections of the United States. Considerable revenue may be expected from postages; but the connected line from New York to Chagres, and thence across the isthmus to Oregon, can not fail to exert a beneficial influence, not now to be estimated, on the interests of the manufactures, commerce, navigation, and currency of the United States. As an important part of the system, I recommend to your favorable consideration the establishment of the proposed line of steamers between New Orleans and Vera Cruz. It promises the most happy results in cementing friendship between the two republics, and extending reciprocal benefits to the trade and manufactures of both.

The report of the postmaster-general will make known to you the operations of that department for the past year.

It is gratifying to find the revenues of the department, under the rates of postage now established by law, so rapidly increasing. The gross amount of postage during the last fiscal year amounted to four millions, three hundred and seventy-one thousand and seventy-seven dollars, exceeding the annual average received for the nine years immediately preceding the passage of the act of the 3d of March, 1845, by the sum of six

thousand, four hundred and fifty-three dollars, and exceeding the amount received for the year ending the 30th of June, 1847, by the sum of four hundred and twenty-five thousand, one hundred and eighty-four dollars.

The expenditures for the year, excluding the sum of ninety-four thousand, six hundred and seventy-two dollars, allowed by Congress at its last session to individual claimants, and including the sum of one hundred thousand, five hundred dollars, paid for the services of the line of steamers between Bremen and New York, amounted to four millions, one hundred and ninety-eight thousand, eight hundred and forty-five dollars, which is less than the annual average for the nine years previous to the act of 1845, by three hundred thousand, seven hundred and forty-eight dollars.

The mail-routes on the 30th day of June last, were one hundred and sixty-three thousand, two hundred and eight miles in extent—being an increase during the last year of nine thousand, three hundred and ninety miles. The mails were transported over them, during the same time, forty-one millions, twelve thousand, five hundred and seventy-nine miles; making an increase of transportation for the year of two millions, one hundred and twenty-four thousand, six hundred and eighty miles, while the expense was less than that of the previous year by four thousand, two hundred and thirty-five dollars.

The increase in the mail transportation within the last three years, has been five millions, three hundred and seventy-eight thousand, three hundred and ten miles, while the expenses were reduced four hundred and fifty-six thousand, seven hundred and thirty-eight dollars—making an increase of service at the rate of fifteen per cent., and a reduction in the expenses of more than fifteen per cent.

During the past year there have been employed, under contracts with the postoffice department, two ocean-steamers in conveying the mails monthly between New York and Bremen, and one, since October last, performing semi-monthly service between Charleston and Havana; and a contract has been made for the transportation of the Pacific mails across the isthmus from Chagres to Panama.

Under the authority given to the secretary of the navy, three ocean-steamers have been constructed and sent to the Pacific, and are expected to enter upon the mail service between Panama and Oregon, and the intermediate ports, on the 1st of January next, and a fourth has been engaged by him for the service between Havana and Chagres; so that a regular monthly mail line will be kept up after that time between the United States and our territories on the Pacific.

Notwithstanding this great increase in the mail service, should the revenue continue to increase the present year as it did in the last, there will be received near four hundred and fifty thousand dollars more than the expenditures.

These considerations have satisfied the postmaster-general that, with certain modifications of the act of 1845, the revenue may be still further increased, and a reduction of postage made to a uniform rate of five cents, without an interference with the principle, which has been constantly and properly enforced, of making that department sustain itself.

A well-digested cheap postage system is the best means of diffusing intelligence among the people, and is of so much importance in a country so extensive as that of the United States, that I recommend to your favorable consideration the suggestions of the postmaster-general for its improvement.

Nothing can retard the onward progress of our country, and prevent us from assuming and maintaining the first rank among nations, but a disregard of the experience of the past, and a recurrence to an unwise public policy. We have just closed a foreign war by an honorable peace—a war rendered necessary and unavoidable in the vindication of the national rights and honor. The present condition of the country is similar in some respects to that which existed immediately after the close of the war with Great Britain in 1815, and the occasion is deemed to be a proper one to take a retrospect of the measures of public policy which followed that war. There was at that period of our history a departure from our earlier policy. The enlargement of the powers of the federal government by *construction*, which obtained, was not warranted by any just interpretation of the constitution. A few years after the close of that war, a series of measures was adopted which, united and combined, constituted what was termed by their authors and advocates the “American system.”

The introduction of the new policy was for a time favored by the condition of the country; by the heavy debt which had been contracted during the war; by the depression of the public credit; by the deranged state of the finances and the currency; and by the commercial and pecuniary embarrassment which extensively prevailed. These were not the only causes which led to its establishment. The events of the war with Great Britain, and the embarrassments which had attended its prosecution, had left on the minds of many of our statesmen the impression that our government was not strong enough, and that, to wield its resources successfully in great emergencies, and especially in war, more power should be concentrated in its hands. This increased power they did not seek to obtain by the legitimate and prescribed mode—an amendment of the constitution—but by *construction*. They saw governments in the old world based upon different orders of society, and so constituted as to throw the whole power of nations into the hands of a few, who taxed and controlled the many without responsibility or restraint. In that arrangement they conceived the strength of nations in war consisted. There was also something fascinating in the ease, luxury, and display, of the higher orders, who drew their wealth from the toil of the laboring millions. The authors of the system drew their ideas of political economy from what they had witnessed in Europe, and particularly in Great Britain. They had viewed the enormous wealth concentrated in few hands, and had seen the splendor of the overgrown establishments of an aristocracy which was upheld by the restrictive policy. They forgot to look down upon the poorer classes of the English population, upon whose daily and yearly labor the great establishments they so much admired were sustained and supported. They failed to perceive that the scantily-fed and half-clad operatives were not only in abject poverty, but were bound in chains of oppressive servitude for the benefit of favored classes, who were the exclusive objects of the care of the government.

It was not possible to reconstruct society in the United States upon the European plan. Here there was a written constitution, by which orders and titles were not recognised or tolerated. A system of measures was therefore devised, calculated, if not intended, to withdraw power gradually and silently from the states and the mass of the people, and by *construction* to approximate our government to the European models, substituting an aristocracy of wealth for that of orders and titles.

Without reflecting upon the dissimilarity of our institutions, and of the

condition of our people and those of Europe, they conceived the vain idea of building up in the United States a system similar to that which they admired abroad. Great Britain had a national bank of large capital, in whose hands was concentrated the controlling monetary and financial power of the nation; an institution wielding almost kingly power, and exerting vast influence upon all the operations of trade, and upon the policy of the government itself. Great Britain had an enormous public debt, and it had become a part of her public policy to regard this as a "public blessing." Great Britain had also a restrictive policy, which placed fetters and burdens on trade, and trammelled the productive industry of the mass of the nation. By her combined system of policy, the landlords and other property-holders were protected and enriched by the enormous taxes which were levied upon the labor of the country for their advantage.

Imitating this foreign policy, the first step in establishing the new system in the United States was the creation of a national bank. Not foreseeing the dangerous power and countless evils which such an institution might entail on the country, nor perceiving the connexion which it was designed to form between the bank and the other branches of the mis-called "American system," but feeling the embarrassments of the treasury, and of the business of the country, consequent upon the war, some of our statesmen who had held different and sounder views were induced to yield their scruples, and, indeed, settled convictions of its unconstitutionality, and to give it their sanction, as an expedient which they vainly hoped might produce relief. It was a most unfortunate error, as the subsequent history and final catastrophe of that dangerous and corrupt institution have abundantly proved. The bank, with its numerous branches ramified into the states, soon brought many of the active political and commercial men in different sections of the country into the relation of debtors to it, and dependants upon it for pecuniary favors; thus diffusing throughout the mass of society a great number of individuals of power and influence to give tone to public opinion, and to act in concert in cases of emergency. The corrupt power of such a political engine is no longer a matter of speculation, having been displayed in numerous instances, but most signally in the political struggles of 1832, '33-'34, in opposition to the public will represented by a fearless and patriotic president.

But the bank was but one branch of the new system. A public debt of more than one hundred and twenty millions of dollars existed; and it is not to be disguised that many of the authors of the new system did not regard its speedy payment as essential to the public prosperity, but looked upon its continuance as no national evil. While the debt existed, it furnished aliment to the national bank, and rendered increased taxation necessary to the amount of the interest, exceeding seven millions of dollars annually.

This operated in harmony with the next branch of the new system, which was a high protective tariff. This was to afford bounties to favored classes and particular pursuits, at the expense of all others. A proposition to tax the whole people for the purpose of enriching a few, was too monstrous to be openly made. The scheme was, therefore, veiled under the plausible but delusive pretext of a measure to protect "home industry;" and many of our people were, for a time, led to believe that a tax, which in the main fell upon labor, was for the benefit of the laborer who paid it. This branch of the system involved a partnership between the government and the favored classes—the former receiving the proceeds

of the tax imposed on articles imported, and the latter the increased price of similar articles produced at home, caused by such tax. It is obvious that the portion to be received by the favored classes would, as a general rule, be increased in proportion to the increase of the rates of tax imposed, and diminished as those rates were reduced to the revenue standard required by the wants of the government. The rates required to produce a sufficient revenue for the ordinary expenditures of government, for necessary purposes, were not likely to give to the private partners in this scheme profits sufficient to satisfy their cupidity; and hence a variety of expedients and pretexts were resorted to for the purpose of enlarging the expenditures, and thereby creating a necessity for keeping up a high protective tariff. The effect of this policy was to interpose artificial restrictions upon the natural course of the business and trade of the country, and to advance the interests of large capitalists and monopolists, at the expense of the great mass of the people, who were taxed to increase their wealth.

Another branch of this system was a comprehensive scheme of internal improvements, capable of indefinite enlargement, and sufficient to swallow up as many millions annually as could be exacted from the foreign commerce of the country. This was a convenient and necessary adjunct of the protective tariff. It was to be the great absorbent of any surplus which might at any time accumulate in the treasury, and of the taxes levied on the people, not for necessary revenue purposes, but for the avowed object of affording protection to the favored classes.

Auxiliary to the same end, if it was not an essential part of the system itself, was the scheme, which at a later period obtained, for distributing the proceeds of the sales of the public lands among the states. Other expedients were devised to take money out of the treasury, and prevent its coming in from any other source than the protective tariff. The authors and supporters of the system were the advocates of the largest expenditures, whether for necessary or useful purposes or not, because the larger the expenditures the greater was the pretext for high taxes in the form of protective duties.

These several measures were sustained by popular names and plausible arguments, by which thousands were deluded. The bank was represented to be an indispensable fiscal agent for the government; was to equalize exchanges, and to regulate and furnish a sound currency, always and everywhere of uniform value. The protective tariff was to give employment to "American labor" at advanced prices; was to protect "home industry," and furnish a steady market for the farmer. Internal improvements were to bring trade into every neighborhood, and enhance the value of every man's property. The distribution of the land money was to enrich the states, finish their public works, plant schools throughout their borders, and relieve them from taxation. But the fact that, for every dollar taken out of the treasury for these objects, a much larger sum was transferred from the pockets of the people to the favored classes, was carefully concealed, as was also the tendency if not the ultimate design of the system to build up an aristocracy of wealth, to control the masses of society, and monopolize the political power of the country.

The several branches of this system were so intimately blended together, that, in their operation, each sustained and strengthened the others. Their joint operation was, to add new burdens of taxation and to encourage a largely-increased and wasteful expenditure of public

money. It was the interest of the bank that the revenue collected and the disbursements made by the government should be large, because, being the depository of the public money, the larger the amount, the greater would be the bank profits by its use. It was the interest of the favored classes, who were enriched by the protective tariff, to have the rates of that protection as high as possible; for the higher those rates, the greater would be their advantage. It was the interest of the people of all those sections and localities who expected to be benefited by expenditures for internal improvements, that the amount collected should be as large as possible, to the end that the sum disbursed might also be the larger. The states being the beneficiaries in the distribution of the land money, had an interest in having the rates of tax imposed by the protective tariff large enough to yield a sufficient revenue from that source to meet the wants of the government, without disturbing or taking from them the land fund; so that each of the branches constituting the system had a common interest in swelling the public expenditures. They had a direct interest in maintaining the public debt unpaid, and increasing its amount, because this would produce an annual increased drain upon the treasury, to the amount of the interest, and render augmented taxes necessary. The operation and necessary effect of the whole system were to encourage large and extravagant expenditures, and thereby to increase the public patronage, and maintain a rich and splendid government at the expense of a taxed and impoverished people.

It is manifest that this scheme of enlarged taxation and expenditures had it continued to prevail, must soon have converted the government of the Union, intended by its framers to be a plain, cheap, and simple confederation of states, united together for common protection, and charged with a few specific duties, relating chiefly to our foreign affairs, into a consolidated empire, depriving the states of their reserved rights, and the people of their just power and control in the administration of their government. In this manner the whole form and character of the government would be changed, not by an amendment of the constitution, but by resorting to an unwarrantable and unauthorized construction of that instrument.

The indirect mode of levying the taxes by a duty on imports, prevents the mass of the people from readily perceiving the amount they pay, and has enabled the few who are thus enriched, and who seek to wield the political power of the country, to deceive and delude them. Were the taxes collected by a direct levy upon the people, as is the case in the states, this could not occur.

The whole system was resisted from its inception by many of our ablest statesmen, some of whom doubted its constitutionality and its expediency, while others believed it was, in all its branches, a flagrant and dangerous infraction of the constitution.

That a national bank, a protective tariff, levied not to raise the revenue needed, but for protection merely, internal improvements, and the distribution of the proceeds of the sales of the public lands, are measures without the warrant of the constitution, would, upon the maturest consideration, seem to be clear. It is remarkable that no one of these measures, involving such momentous consequences, is authorized by any express grant of power in the constitution. No one of them is "incident to, as being necessary and proper for the execution of, the specific powers" granted by the constitution. The authority under which it has been attempted to

justify each of them is derived from inferences and constructions of the constitution which its letter and its whole object and design do not warrant. Is it to be conceived that such immense powers would have been left by the framers of the constitution to mere inferences and doubtful constructions? Had it been intended to confer them on the federal government, it is but reasonable to conclude that it would have been done by plain and unequivocal grants. This was not done; but the whole structure of which the "American system" consisted was reared on no other or better foundation than forced implications and inferences of power, which its authors assumed might be deduced by construction from the constitution.

But it has been urged that the national bank, which constituted so essential a branch of this combined system of measures, was not a new measure, and that its constitutionality had been previously sanctioned, because a bank had been chartered in 1791, and had received the official signature of President Washington. A few facts will show the just weight to which this precedent should be entitled, as bearing upon the question of constitutionality.

Great division of opinion upon the subject existed in Congress. It is well known that President Washington entertained serious doubts both as to the constitutionality and expediency of the measure; and while the bill was before him for his official approval or disapproval, so great were these doubts, that he required "the opinion in writing" of the members of his cabinet to aid him in arriving at a decision. His cabinet gave their opinions; and were divided upon the subject—General Hamilton being in favor of, and Mr. Jefferson and Mr. Randolph being opposed to, the constitutionality and expediency of the bank. It is well known, also, that President Washington retained the bill from Monday, the fourteenth, when it was presented to him, until Friday, the twenty-fifth day of February—being the last moment permitted him by the constitution to deliberate, when he finally yielded to it his reluctant assent, and gave it his signature. It is certain that, as late as the twenty-third of February—being the ninth day after the bill was presented to him—he had arrived at no satisfactory conclusion; for on that day he addressed a note to General Hamilton, in which he informs him that "this bill was presented to me by the joint committee of Congress at 12 o'clock on Monday, the fourteenth instant;" and he requested his opinion "to what precise period, by legal interpretation of the constitution, can the president retain it in his possession, before it becomes a law by the lapse of ten days." If the proper construction was, that the day on which the bill was presented to the president, and the day on which his action was had upon it, were both to be counted inclusive, then the time allowed him, within which it would be competent for him to return it to the house in which it originated, with his objections, would expire on Thursday, the twenty-fourth of February. General Hamilton on the same day returned an answer, in which he states: "I give it as my opinion that you have ten days exclusive of that on which the bill was delivered to you, and Sundays; hence, in the present case, if it is returned on Friday, it will be in time." By this construction, which the president adopted, he gained another day for deliberation, and it was not until the twenty-fifth of February that he signed the bill; thus affording conclusive proof that he had at last obtained his own consent to sign it, not without great and almost insuperable difficulty. Additional light has been recently shed upon the serious doubts which he had upon the subject, amounting at one time to a conviction that it was his duty to withhold his approval

from the bill. This is found among the manuscript papers of Mr. Madison, authorized to be purchased for the use of the government by an act of the last session of Congress, and now for the first time accessible to the public. From these papers, it appears that President Washington, while he yet held the bank bill in his hands, actually requested Mr. Madison, at that time a member of the house of representatives, to prepare the draught of a veto message for him. Mr. Madison, at his request, did prepare the draught of such a message, and sent it to him on the twenty-first of February, 1791. A copy of this original draught, in Mr. Madison's own handwriting, was carefully preserved by him, and is among the papers lately purchased by Congress. It is preceded by a note, written on the same sheet, which is also in Mr. Madison's handwriting, and is as follows:—

“February 21st, 1791. Copy of a paper made out and sent to the president, at his request, to be ready, in case his judgment should finally decide against the bill for incorporating a national bank, the bill being then before him.”

Among the objections assigned in this paper to the bill, and which were submitted for the consideration of the president, are the following:—

“I object to the bill, because it is an essential principle of the government that powers not delegated by the constitution can not be rightfully exercised; because the power proposed by the bill to be exercised is not expressly delegated, and because I can not satisfy myself that it results from any express power by fair and safe rules of interpretation.”

The weight of the precedent of the bank of 1791, and the sanction of the great name of Washington, which has been so often invoked in its support, are greatly weakened by the development of these facts. The experiment of that bank satisfied the country that it ought not to be continued, and at the end of twenty years Congress refused to recharter it. It would have been fortunate for the country, and saved thousands from bankruptcy and ruin, had our public men of 1816 resisted the temporary pressure of the times upon our financial and pecuniary interests, and refused to charter the second bank. Of this the country became abundantly satisfied, and, at the close of its twenty years' duration, as in the case of the first bank, it also ceased to exist. Under the repeated blows of President Jackson, it reeled and fell, and a subsequent attempt to charter a similar institution was arrested by the veto of President Tyler.

Mr. Madison, in yielding his signature to the charter of 1816, did so upon the ground of the respect due to precedents; and, as he subsequently declared, “the bank of the United States, though, on the original question, held to be unconstitutional, received the executive signature.”

It is probable that neither the bank of 1791, nor that of 1816, would have been chartered, but for the embarrassments of the government in its finances, the derangement of the currency, and the pecuniary pressure which existed; the first the consequence of the war of the revolution, and the second the consequence of the war of 1812. Both were resorted to in the delusive hope that they would restore public credit, and afford relief to the government and to the business of the country.

Those of our public men who opposed the whole “American system” at its commencement, and throughout its progress, foresaw and predicted that it was fraught with incalculable mischiefs, and must result in serious injury to the best interests of the country. For a series of years their wise counsels were unheeded, and the system was established. It was soon apparent that its practical operation was unequal and unjust upon

different portions of the country, and upon the people engaged in different pursuits. All were equally entitled to the favor and protection of the government. It fostered and elevated the money power, and enriched the favored few by taxing labor, and at the expense of the many. Its effect was to "make the rich richer, and the poor poorer." Its tendency was to create distinctions in society based on wealth, and to give to the favored classes undue control and sway in our government. It was an organized money power, which resisted the popular will, and sought to shape and control the public policy.

Under the pernicious workings of this combined system of measures, the country witnessed alternate seasons of temporary apparent prosperity; of sudden and disastrous commercial revulsions; of unprecedented fluctuation of prices, and depression of the great interests of agriculture, navigation, and commerce; of general pecuniary suffering, and of final bankruptcy of thousands. After a severe struggle of more than a quarter of a century, the system was overthrown.

The bank has been succeeded by a practical system of finance, conducted and controlled solely by the government. The constitutional currency has been restored; the public credit maintained unimpaired, even in a period of foreign war; and the whole country has become satisfied that banks, national or state, are not necessary as fiscal agents of the government. Revenue duties have taken the place of the protective tariff. The distribution of the money derived from the sale of the public lands has been abandoned, and the corrupting system of internal improvements, it is hoped, has been effectually checked.

It is not doubted, that if this whole train of measures, designed to take wealth from the many and bestow it upon the few, were to prevail, the effect would be to change the entire character of the government. One only danger remains. It is the seductions of that branch of the system which consists in internal improvements, holding out, as it does, inducements to the people of particular sections and localities to embark the government in them without stopping to calculate the inevitable consequences. This branch of the system is so intimately combined and linked with the others, that as surely as an effect is produced by an adequate cause, if it be resuscitated and revived, and firmly established, it requires no sagacity to foresee that it will necessarily and speedily draw after it the re-establishment of a national bank, the revival of a protective tariff, the distribution of the land money, and not only the postponement to the distant future of the payment of the present national debt, but its annual increase.

I entertain the solemn conviction, that if the internal improvement branch of the "American system" be not firmly resisted at this time, the whole series of measures composing it will be speedily re-established, and the country be thrown back from its present high state of prosperity, which the existing policy has produced, and be destined again to witness all the evils, commercial revulsions, depression of prices, and pecuniary embarrassments, through which we have passed during the last twenty-five years.

To guard against consequences so ruinous is an object of high national importance, involving, in my judgment, the continued prosperity of the country.

I have felt it to be an imperative obligation to withhold my constitutional sanction from two bills which had passed the two houses of Congress, involving the principle of the internal improvement branch of the "Ameri-

can system," and conflicting in their provisions with the views here expressed.

This power conferred upon the president by the constitution, I have on three occasions, during my administration of the executive department of the government, deemed it my duty to exercise; and on this last occasion of making to Congress an annual communication "of the state of the Union," it is not deemed inappropriate to review the principles and considerations which have governed my action. I deem this the more necessary, because, after the lapse of nearly sixty years since the adoption of the constitution, the propriety of the exercise of this undoubted constitutional power by the president has for the first time been drawn seriously in question by a portion of my fellow-citizens.

The constitution provides that "every bill which shall have passed the house of representatives and the senate shall, before it become a law, be presented to the president of the United States: if he approve, he *shall* sign it, but if not, he *shall* return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it."

The preservation of the constitution from infraction is the president's highest duty. He is bound to discharge that duty, at whatever hazard of incurring the displeasure of those who may differ with him in opinion. He is bound to discharge it, as well by his obligations to the people who have clothed him with his exalted trust as by his oath of office, which he may not disregard. Nor are the obligations of the president in any degree lessened by the prevalence of views different from his own in one or both houses of Congress. It is not alone hasty and inconsiderate legislation that he is required to check; but if at any time Congress shall, after apparently full deliberation, resolve on measures which he deems subversive of the constitution, or of the vital interests of the country, it is his solemn duty to stand in the breach and resist them. The president is bound to approve, or disapprove, every bill which passes Congress and is presented to him for his signature. The constitution makes this his duty, and he can not escape it if he would. He has no election. In deciding upon any bill presented to him, he must exercise his own best judgment. If he can not approve, the constitution commands him to return the bill to the house in which it originated, with his objections; and if he fail to do this within ten days (Sundays excepted), it shall become a law without his signature. Right or wrong, he may be overruled by a vote of two thirds of each house; and, in that event, the bill becomes a law without his sanction. If his objections be not thus overruled, the subject is only postponed, and is referred to the states and the people for their consideration and decision. The president's power is negative merely, and not affirmative. He can enact no law. The only effect, therefore, of his withholding his approval of a bill passed by Congress, is to suffer the existing laws to remain unchanged, and the delay occasioned is only that required to enable the states and the people to consider and act upon the subject in the election of public agents who will carry out their wishes and instructions. Any attempt to coerce the president to yield his sanction to measures which he can not approve, would be a violation of the spirit of the constitution, palpable and flagrant; and if successful, would break down the independence of the executive department, and make the president, elected by the people, and clothed by the constitution with power to defend their rights, the mere instrument of a majority

of Congress. A surrender, on his part, of the powers with which the constitution has invested his office, would effect a practical alteration of that instrument, without resorting to the prescribed process of amendment.

With the motives and considerations which may induce Congress to pass any bill, the president can have nothing to do. He must presume them to be as pure as his own, and look only to the practical effect of their measures when compared with the constitution or the public good.

But it has been urged by those who object to the exercise of this undoubted constitutional power, that it assails the representative principle and the capacity of the people to govern themselves; that there is greater safety in a numerous representative body than in the single executive created by the constitution, and that the executive veto is a "one man power," despotic in its character. To expose the fallacy of this objection, it is only necessary to consider the frame and true character of our system. Ours is not a consolidated empire, but a confederated Union. The states, before the adoption of the constitution, were co-ordinate, co-equal, and separate independent sovereignties, and by its adoption they did not lose that character. They clothed the federal government with certain powers, and reserved all others, including their own sovereignty, to themselves. They guarded their own rights as states and the rights of the people, by the very limitations which they incorporated into the federal constitution, whereby the different departments of the general government were checks upon each other. That the majority should govern is a general principle, controverted by none; but they must govern according to the constitution, and not according to an undefined and unrestrained discretion, whereby they may oppress the minority.

The people of the United States are not blind to the fact that they may be temporarily misled, and that their representatives, legislative and executive, may be mistaken or influenced in their action by improper motives. They have, therefore, interposed between themselves and the laws which may be passed by their public agents various representations, such as assemblies, senates, and governors, in their several states; a house of representatives, a senate, and a president, of the United States. The people can by their own direct agency make no law; nor can the house of representatives, immediately elected by them; nor can the senate; nor can both together without the concurrence of the president, or a vote of two thirds of both houses.

Happily for themselves, the people, in framing our admirable system of government, were conscious of the infirmities of their representatives; and, in delegating to them the power of legislation, they have fenced them around with checks, to guard against the effects of hasty action, of error, of combination, and of possible corruption. Error, selfishness, and faction, have often sought to rend asunder this web of checks, and subject the government to the control of fanatic and sinister influences; but these efforts have only satisfied the people of the wisdom of the checks which they have imposed, and of the necessity of preserving them unimpaired.

The true theory of our system is not to govern by the acts or decrees of any one set of representatives. The constitution interposes checks upon all branches of the government, in order to give time for error to be corrected and delusion to pass away; but if the people settle down into a firm conviction different from that of their representatives, they give effect to their opinions by changing their public servants. The checks which the people imposed on their public servants in the adoption of the consti-

tution, are the best evidence of their capacity for self-government. They know that the men whom they elect to public stations are of like infirmities and passions with themselves, and not to be trusted without being restricted by co-ordinate authorities and constitutional limitations. Who that has witnessed the legislation of Congress for the last thirty years will say that he knows of no instance in which measures not demanded by the public good have been carried? Who will deny that in the state governments, by combinations of individuals and sections, in derogation of the general interest, banks have been chartered, systems of internal improvement adopted, and debts entailed upon the people, repressing their growth and impairing their energies for years to come.

After so much experience, it can not be said that absolute unchecked power is safe in the hands of any one set of representatives, or that the capacity of the people for self-government, which is admitted in its broadest extent, is a conclusive argument to prove the prudence, wisdom, and integrity of their representatives.

The people, by the constitution, have commanded the president, as much as they have commanded the legislative branch of the government, to execute their will. They have said to him in the constitution, which they require he shall take a solemn oath to support, that if Congress pass any bill which he can not approve, "he shall return it to the house in which it originated, with his objections." In withholding from it his approval and signature, he is executing the will of the people constitutionally expressed, as much as the Congress that passed it. No bill is presumed to be in accordance with the popular will until it shall have passed through all the branches of the government required by the constitution to make it a law. A bill which passes the house of representatives may be rejected by the senate; and so a bill passed by the senate may be rejected by the house. In each case the respective houses exercise the veto power on the other.

Congress, and each house of Congress, hold, under the constitution, a check upon the president, and he, by the power of the qualified veto, a check upon Congress. When the president recommends measures to Congress, he avows, in the most solemn form, his opinions, gives his voice in their favor, and pledges himself in advance to approve them if passed by Congress. If he acts without due consideration, or has been influenced by improper or corrupt motives—or, if from any other cause, Congress, or either house of Congress, shall differ with him in opinion, they exercise *their veto* upon his recommendations, and reject them; and there is no appeal from their decision, but to the people at the ballot-box. These are proper checks upon the executive, wisely interposed by the constitution. None will be found to object to them, or to wish them repealed. It is equally important that the constitutional checks of the executive upon the legislative branch should be preserved.

If it be said that the representatives in the popular branch of Congress are chosen directly by the people, it is answered, the people elect the president. If both houses represent the states and the people, so does the president. The president represents in the executive department the whole people of the United States, as each member of the legislative department represents portions of them.

The doctrine of restriction upon legislative and executive power, while a well-settled public opinion is enabled within a reasonable time to accomplish its ends, has made our country what it is, and has opened to us a

career of glory and happiness to which all other nations have been strangers.

In the exercise of the power of the veto, the president is responsible not only to an enlightened public opinion, but to the people of the whole Union, who elected him, as the representatives in the legislative branches, who differ with him in opinion, are responsible to the people of particular states, or districts, who compose their respective constituencies. To deny to the president the exercise of this power, would be to repeal that provision of the constitution which confers it upon him. To charge that its exercise unduly controls the legislative will, is to complain of the constitution itself.

If the presidential veto be objected to upon the ground that it checks and thwarts the popular will, upon the same principle the equality of representation of the states in the senate should be stricken out of the constitution. The vote of a senator from Delaware has equal weight in deciding upon the most important measures with the vote of a senator from New York; and yet the one represents a state containing, according to the existing apportionment of representatives in the house of representatives, but one thirty-fourth part of the population of the other. By the constitutional composition of the senate, a majority of that body from the smaller states represent less than one fourth of the people of the Union. There are thirty states; and, under the existing apportionment of representatives, there are two hundred and thirty members in the house of representatives. Sixteen of the smaller states are represented in that house by but fifty members; and yet the senators from those states constitute a majority of the senate. So that the president may recommend a measure to Congress, and it may receive the sanction and approval of more than three fourths of the house of representatives, and of all the senators from the large states, containing more than three fourths of the whole population of the United States; and yet the measure may be defeated by the votes of the senators from the smaller states. None, it is presumed, can be found ready to change the organization of the senate on this account, or to strike that body practically out of existence, by requiring that its action shall be conformed to the will of the more numerous branch.

Upon the same principle that the veto of the president should be practically abolished, the power of the vice-president to give the casting vote upon an equal division of the senate should be abolished also. The vice-president exercises the veto power as effectually by rejecting a bill by his casting vote as the president does by refusing to approve and sign it. This power has been exercised by the vice-president in a few instances, the most important of which was the rejection of the bill to recharter the bank of the United states in 1811. It may happen that a bill may be passed by a large majority of the house of representatives, and may be supported by the senators from the larger states, and the vice-president may reject it by giving his vote with the senators from the smaller states; and yet none, it is presumed, are prepared to deny to him the exercise of this power under the constitution.

But it is, in point of fact, untrue that an act passed by Congress is conclusive evidence that it is an emanation of the popular will. A majority of the whole number elected to each house of Congress constitutes a quorum, and a majority of that quorum is competent to pass laws. It might happen that a quorum of the house of representatives, consisting of a single member more than half of the whole number elected to that house,

might pass a bill by a majority of a single vote, and in that case a fraction more than one fourth of the people of the United States would be represented by those who voted for it. It might happen that the same bill might be passed by a majority of one of a quorum of the senate, composed of senators from the fifteen smaller states, and a single senator from a sixteenth state, and if the senators voting for it happened to be from the eight of the smallest of these states, it would be passed by the votes of senators from states having but fourteen representatives in the house of representatives, and containing less than one sixteenth of the whole population of the United States. This extreme case is stated to illustrate the fact, that the mere passage of a bill by Congress is no conclusive evidence that those who passed it represent the majority of the people of the United States, or truly reflect their will. If such an extreme case is not likely to happen, cases that approximate it are of constant occurrence. It is believed that not a single law has been passed, since the adoption of the constitution, upon which all the members elected to both houses have been present and voted. Many of the most important acts which have passed Congress have been carried by a close vote in thin houses. Many instances of this might be given. Indeed, our experience proves that many of the most important acts of Congress are postponed to the last days, and often the last hours, of a session, when they are disposed of in haste, and by houses but little exceeding the number necessary to form a quorum.

Besides, in most of the states, the members of the house of representatives are chosen by pluralities, and not by majorities of all the voters in their respective districts; and it may happen that a majority of that house may be returned by a less aggregate vote of the people than that received by the minority.

If the principle insisted on be sound, then the constitution should be so changed that no bill shall become a law unless it is voted for by members representing in each house a majority of the whole people of the United States. We must remodel our whole system, strike down and abolish not only the salutary checks lodged in the executive branch, but must strike out and abolish those lodged in the senate also, and thus practically invest the whole power of the government in the majority of a single assembly—a majority uncontrolled and absolute, and which may become despotic. To conform to this doctrine of the right of majorities to rule, independent of the checks and limitations of the constitution, we must revolutionize our whole system. We must destroy the constitutional compact by which the several states agreed to form a federal Union, and rush into consolidation, which must end in monarchy or despotism. No one advocates such a proposition; and yet the doctrine maintained, if carried out, must lead to this result.

One great object of the constitution in conferring upon the president a qualified negative upon the legislation of Congress, was to protect minorities from injustice and oppression by majorities. The equality of their representation in the senate, and the veto power of the president, are the constitutional guaranties which the smaller states have that their rights will be respected. Without these guaranties all their interests would be at the mercy of majorities in Congress representing the larger states. To the smaller and weaker states, therefore, the preservation of this power, and its exercise upon proper occasions demanding it, is of vital importance. They ratified the constitution, and entered into the Union, securing to themselves an equal representation with the larger states in the senate;

and they agreed to be bound by all laws passed by Congress, upon the express condition, and none other, that they should be approved by the president, or passed, his objections to the contrary notwithstanding, by a vote of two thirds of both houses. Upon this condition they have a right to insist, as a part of the compact to which they gave their assent.

A bill might be passed by Congress against the will of the whole people of a particular state, and against the votes of its senators and all its representatives. However prejudicial it might be to the interests of such states, it would be bound by it if the president shall approve it, or it shall be passed by a vote of two thirds of both houses; but it has a right to demand that the president shall exercise his constitutional power and arrest it, if his judgment is against it. If he surrender this power, or fail to exercise it in a case where he can not approve, it would make his formal approval a mere mockery, and would be itself a violation of the constitution, and the dissenting state would become bound by a law which had not been passed according to the sanction of the constitution.

The objection to the exercise of the *veto* power is founded upon an idea respecting the popular will, which, if carried out, would annihilate state sovereignty, and substitute for the present federal government a consolidation, directed by a supposed numerical majority. A revolution of the government would be silently effected, and the states would be subjected to laws to which they had never given their constitutional consent.

The supreme court of the United States is invested with the power to declare, and has declared, acts of Congress passed with the concurrence of the senate, the house of representatives, and the approval of the president, to be unconstitutional and void; and yet none, it is presumed, can be found, who will be disposed to strip this highest judicial tribunal under the constitution of this acknowledged power—a power necessary alike to its independence and the rights of individuals.

For the same reason that the executive veto should, according to the doctrine maintained, be rendered nugatory, and be practically expunged from the constitution, this power of the court should also be rendered nugatory and be expunged, because it restrains the legislative and executive will, and because the exercise of such a power by the court may be regarded as being in conflict with the capacity of the people to govern themselves. Indeed, there is more reason for striking this power of the court from the constitution than there is that of the qualified veto of the president; because the decision of the court is final, and can never be reversed, even though both houses of Congress and the president should be unanimous in opposition to it; whereas the veto of the president may be overruled by a vote of two thirds of both houses of Congress, or by the people at the polls.

It is obvious that to preserve the system established by the constitution, each of the co-ordinate branches of the government—the executive, legislative, and judicial—must be left in the exercise of its appropriate powers. If the executive or the judicial branch be deprived of powers conferred upon either as checks on the legislative, the preponderance of the latter will become disproportionate and absorbing, and the others impotent for the accomplishment of the great objects for which they were established. Organized as they are by the constitution, they work together harmoniously for the public good. If the executive and the judiciary shall be deprived of the constitutional powers invested in them, and of their due proportions, the equilibrium of the system must be destroyed, and consoli-

dition, with the most pernicious results, must ensue—a consolidation of unchecked, despotic power, exercised by majorities of the legislative branch.

The executive, legislative, and judicial, each constitutes a separate co-ordinate department of the government, and each is independent of the others. In the performance of their respective duties under the constitution, neither can, in its legitimate action, control the others. They each act upon their several responsibilities in their respective spheres; but if the doctrines now maintained be correct, the executive must become practically subordinate to the legislative, and the judiciary must become subordinate to both the legislative and the executive; and thus the whole power of the government would be merged in a single department. Whenever, if ever, this shall occur, our glorious system of well-regulated self-government will crumble into ruins—to be succeeded, first by anarchy, and finally by monarchy or despotism. I am far from believing that this doctrine is the sentiment of the American people; and during the short period which remains in which it will be my duty to administer the executive department, it will be my aim to maintain its independence, and discharge its duties, without infringing upon the powers or duties of either of the other departments of the government.

The power of the executive veto was exercised by the first and most illustrious of my predecessors, and by four of his successors who preceded me in the administration of the government, and, it is believed, in no instance prejudicially to the public interests. It has never been, and there is but little danger that it ever can be, abused. No president will ever desire, unnecessarily, to place his opinion in opposition to that of Congress. He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty, which he can not escape. Indeed, there is more danger that the president, from the repugnance he must always feel to come in collision with Congress, may fail to exercise it in cases where the preservation of the constitution from infraction, or the public good, may demand it, than that he will ever exercise it unnecessarily or wantonly.

During the period I have administered the executive department of the government, great and important questions of public policy, foreign and domestic, have arisen, upon which it was my duty to act. It may, indeed, be truly said that my administration has fallen upon eventful times. I have felt most sensibly the weight of the high responsibilities devolved upon me. With no other object than the public good, the enduring fame, and permanent prosperity of my country, I have pursued the convictions of my own best judgment. The impartial arbitrament of enlightened public opinion, present and future, will determine how far the public policy I have maintained, and the measures I have from time to time recommended, may have tended to advance or retard the public prosperity at home, and to elevate or depress the estimate of our national character abroad.

Invoking the blessings of the Almighty upon your deliberations at your present important session, my ardent hope is, that in a spirit of harmony and concord you may be guided to wise results, and such as may redound to the happiness, the honor, and the glory, of our beloved country.

SPECIAL MESSAGE.

AUGUST 14, 1848.*

To the House of Representatives of the United States:—

When the president has given his official sanction to a bill which has passed Congress, usage requires that he shall notify the house in which it originated of that fact. The mode of giving this notification has been by an oral message delivered by his private secretary.

Having this day approved and signed an act entitled "An act to establish the territorial government of Oregon," I deem it proper, under the existing circumstances, to communicate the fact in a more solemn form. The deeply interesting and protracted discussions which have taken place in both houses of Congress, and the absorbing interest which the subject has excited throughout the country, justify, in my judgment, this departure from the form of notice observed in other cases. In this communication with a co-ordinate branch of the government, made proper by the considerations referred to, I shall frankly and without reserve express the reasons which have constrained me not to withhold my signature from the bill to establish a government over Oregon, even though the two territories of New Mexico and California are to be left for the present without governments. None doubt that it is proper to establish a government in Oregon. Indeed it has been too long delayed. I have made repeated recommendations to Congress to this effect. The petitions of the people of that distant region have been presented to the government, and ought not to be disregarded. To give to them a regularly-organized government and the protection of our laws, which as citizens of the United States they claim, is a high duty on our part, and one which we are bound to perform, unless there be controlling reasons to prevent it.

In the progress of all governments, questions of such transcendent importance occasionally arise as to cast in the shade all those of a mere party character. But one such question can now be agitated in this country, and this may endanger our glorious Union—the source of our greatness and all our political blessings. This question is slavery. With the slaveholding states, this does not embrace merely the rights of property, however valuable; but it ascends far higher and involves the domestic peace and security of every family.

The fathers of the constitution, the wise and patriotic men who laid the foundation of our institutions, foreseeing the danger from this quarter, acted in a spirit of compromise and mutual concession on this dangerous and delicate subject, and their wisdom ought to be the guide of their successors. While they left to the states, exclusively, the question of domestic slavery within their respective limits, they provided that slaves who might escape into other states not recognising the institution of slavery shall "be delivered up on the claim of the party to whom such service or labor may be due."

Upon this foundation the matter rested until the Missouri question arose.

In December, 1819, application was made to Congress by the people of the Missouri territory for admission into the Union as a state. The dis-

* This message was received from the President of the United States at the close of the previous session, but was not read and entered on the journal of the house till Dec. 6, 1848.

cussion upon the subject in Congress involved the question of slavery, and was prosecuted with such violence as to produce excitements alarming to every patriot in the Union. But the good genius of conciliation, which presided at the birth of our institutions, finally prevailed; and the Missouri compromise was adopted. The eighth section of the act of Congress of the 6th of March, 1820, "to authorize the people of the Missouri territory to form a constitution and state government," &c., provides: "That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, for ever prohibited: *Provided, always*, that any person escaping into the same from whom labor or service is lawfully claimed in any state or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service, as aforesaid."

This compromise had the effect of calming the troubled waves, and restoring peace and good-will throughout the states of the Union.

The Missouri question had excited intense agitation of the public mind, and threatened to divide the country into geographical parties, alienating the feelings of attachment which each portion of our Union should bear to every other. The compromise allayed the excitement, tranquillized the popular mind, and restored confidence and fraternal feelings. Its authors were hailed as public benefactors.

I do not doubt that a similar adjustment of the questions which now agitate the public mind, would produce the same happy results. If the legislation of Congress on the subject of the other territories shall not be adopted in a spirit of conciliation and compromise, it is impossible that the country can be satisfied, or that the most disastrous consequences shall fail to ensue.

When Texas was admitted into the Union, the same spirit of compromise which guided our predecessors in the admission of Missouri, a quarter of a century before, prevailed, without any serious opposition. The joint resolution for annexing Texas to the United States, approved March the first, one thousand eight hundred and forty-five, provides that "such states as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes, north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each state asking admission may desire. And in such state or states as shall be formed out of said territory north of the Missouri compromise line, slavery or involuntary servitude (except for crime) shall be prohibited."

The territory of Oregon lies far north of thirty-six degrees thirty minutes, the Missouri and Texas compromise line. Its southern boundary is the parallel of forty-two degrees, leaving the intermediate distance to be three hundred and thirty geographical miles. And it is because the provisions of this bill are not inconsistent with the laws of the Missouri compromise, if extended from the Rio Grande to the Pacific ocean, that I have not felt at liberty to withhold my sanction. Had it embraced territories south of that compromise, the question presented for my consideration would have been of a far different character, and my action upon it must have corresponded with my convictions.

Ought we now to disturb the Missouri and Texas compromises? Ought we at this late day, in attempting to annul what has been so long established and acquiesced in, to excite sectional divisions and jealousies, to alienate the people of different portions of the Union from each other, and to endanger the existence of the Union itself?

From the adoption of the federal constitution, during a period of sixty years, our progress as a nation has been without example in the annals of history. Under the protection of a bountiful Providence, we have advanced with giant strides in the career of wealth and prosperity. We have enjoyed the blessings of freedom to a greater extent than any other people, ancient or modern, under a government which has preserved order, and secured to every citizen life, liberty, and property. We have now become an example for imitation to the whole world. The friends of freedom, in every clime, point with admiration to our institutions. Shall we, then, at the moment when the people of Europe are devoting all their energies in the attempt to assimilate their institutions to our own, peril all our blessings by despising the lessons of experience, and refusing to tread in the footsteps which our fathers have trodden? And for what cause would we endanger our glorious Union? The Missouri compromise contains a prohibition of slavery throughout all that vast region extending twelve and a half degrees along the Pacific, from the parallel of thirty-six degrees thirty minutes, to that of forty-nine degrees, and east from that ocean to and beyond the summit of the Rocky mountains. Why, then, should our institutions be endangered because it is proposed to submit to the people of the remainder of our newly-acquired territory lying south of thirty-six degrees thirty minutes, embracing less than four degrees of latitude, the question whether, in the language of the Texas compromise, they "shall be admitted [as a state] into the Union with or without slavery." Is this a question to be pushed to such extremities by excited partisans on the one side or the other, in regard to our newly-acquired distant possessions on the Pacific, as to endanger the union of thirty glorious states which constitute our confederacy? I have an abiding confidence that the sober reflection and sound patriotism of the people of all the states will bring them to the conclusion, that the dictate of wisdom is to follow the example of those who have gone before us, and settle this dangerous question on the Missouri compromise, or some other equitable compromise, which would respect the rights of all, and prove satisfactory to the different portions of the Union.

Holding as a sacred trust the executive authority for the whole Union, and bound to guard the rights of all, I should be constrained, by a sense of duty, to withhold my official sanction from any measure which would conflict with these important objects.

I can not more appropriately close this message than by quoting from the farewell address of the father of his country, His warning voice can never be heard in vain by the American people. If the spirit of prophecy had distinctly presented to his view, more than a half century ago, the present distracted condition of his country, the language which he then employed could not have been more appropriate than it is to the present occasion. He declared:—

"The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty

which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and to speak of it as a palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

"For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and success. . . . With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

"In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—*Northern* and *Southern*, *Atlantic* and *Western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is, to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection."

SPECIAL MESSAGE.

DECEMBER 27, 1848.

To the House of Representatives:—

IN compliance with the resolution of the house of the eleventh instant, requesting the president to inform that body "whether he has received any information that American citizens have been imprisoned or arrested by British authorities in Ireland; and, if so, what have been the causes thereof, and what steps have been taken for their release; and, if

not in his opinion inconsistent with public interest, to furnish this house with copies of all correspondence in relation thereto." I communicate herewith a report of the secretary of state, together with the accompanying correspondence upon the subject.

SPECIAL MESSAGE.

JANUARY 29, 1849.

To the House of Representatives of the United States :—

I COMMUNICATE, herewith, reports from the secretary of war, and the secretary of the navy, together with the accompanying documents, in answer to a resolution of the house of representatives of December 20th, 1848, requesting the president "to communicate to the house the amount of moneys and property received during the late war with the republic of Mexico at the different ports of entry, or in any other way within her limits, and in what manner the same has been expended or appropriated."

SPECIAL MESSAGE.

FEBRUARY 1, 1849.

To the Senate of the United States :—

I COMMUNICATE herewith reports from the secretary of state, the secretary of the treasury, secretary of war, and the secretary of the navy, together with the accompanying documents, in answer to a resolution of the senate of the 15th of January, 1849, "that the petition and papers of John B. Emerson be referred to the president of the United States, and that he be requested to cause a report thereon to be made to the senate, wherein the public officer making such report shall state in what cases, if any, the United States have used or employed the invention of said Emerson contrary to law ; and further, whether any compensation therefor is justly due to said Emerson, and if so, to what amount in each case."

SPECIAL MESSAGE.

FEBRUARY 8, 1849.

To the House of Representatives of the United States :—

IN reply to the resolutions of the house of representatives, of the 5th instant, I communicate herewith a report from the secretary of state, accompanied with all the documents and correspondence relating to the treaty of peace concluded between the United States and Mexico, at Guadalupe Hidalgo, on the 2d of February, 1848, and to the amendments of the senate thereto, as requested by the house in the said resolutions.

Among the documents transmitted will be found a copy of the instructions given to the commissioners of the United States who took to Mexico

the treaty as amended by the senate and ratified by the president of the United States. In my message to the house of representatives of the 29th of July, 1848, I gave as my reason for declining to furnish these instructions, in compliance with a resolution of the house, that, "in my opinion, it would be inconsistent with the public interests to give publicity to them at the present time." Although it may still be doubted whether giving them publicity in our own country, and, as a necessary consequence, in Mexico, may not have a prejudicial influence on our public interests, yet, as they have been again called for by the house, and called for in connexion with other documents, to the correct understanding of which they are indispensable, I have deemed it my duty to transmit them.

I still entertain the opinion expressed in the message referred to, "that, as a general rule, applicable to all our important negotiations with foreign powers, it could not fail to be prejudicial to the public interest to publish the instructions to our ministers, until some time had elapsed after the conclusion of such negotiations."

In these instructions of the 18th of March, 1848, it will be perceived "that the task was assigned to the commissioners of the United States of consummating the treaty of peace, which was signed at Guadalupe Hidalgo on the second day of February last, between the United States and the Mexican republic, and which, on the 10th of March last, was ratified by the senate with amendments."

They were informed "that this brief statement will indicate to you clearly the line of your duty. You are not sent to Mexico for the purpose of negotiating any new treaty, or of changing in any particular the ratified treaty which you will bear with you. None of the amendments adopted by the senate can be rejected or modified, except by the authority of that body. Your whole duty will then consist in using every honorable effort to obtain from the Mexican government a ratification of the treaty, in the form in which it has been ratified by the senate, and this with the least practicable delay." "For this purpose, it may, and most probably will, become necessary that you should explain to the Mexican minister for foreign affairs, or to the authorized agents of the Mexican government, the reasons which have influenced the senate in adopting these several amendments to the treaty. This duty you will perform, as much as possible, by personal conferences. Diplomatic notes are to be avoided unless in case of necessity. These might lead to endless discussions and indefinite delay. Besides, they could not have any practical result, as your mission is confined to procuring a ratification, from the Mexican government, of the treaty as it came from the senate, and does not extend to the slightest modification in any of its provisions."

The commissioners were sent to Mexico to procure the ratification of the treaty *as amended by the senate*. Their instructions confined them to this point. It was proper that the amendments to the treaty adopted by the United States should be explained to the Mexican government, and explanations were made by the secretary of state in his letter of the 18th of March, 1848, to the Mexican minister for foreign affairs, under my direction. This despatch was communicated to Congress with my message of the 6th of July last, communicating the treaty of peace, and published by their order. This despatch was transmitted by our commissioners, from the city of Mexico to the Mexican government, then at Queretaro, on the 17th of April, 1848, and its receipt acknowledged on the 19th of the same month. During the whole time that the treaty, as amended, was before

the Congress of Mexico, these explanations of the secretary of state, and these alone, were before them.

The president of Mexico, on these explanations, on the 8th day of May, 1848, submitted the amended treaty to the Mexican Congress, and, on the 25th of May, that Congress approved the treaty as amended without modification or alteration. The final action of the Mexican Congress had taken place before the commissioners of the United States had been officially received by the Mexican authorities, or held any conference with them, or had any other communication on the subject of the treaty except to transmit the letter of the secretary of state.

In their despatch, transmitted to Congress with my message of the 6th of June last, communicating the treaty of peace, dated "City of Queretaro, May 25, 1848, 9 o'clock, P. M.," the commissioners say: "We have the satisfaction to inform you that we reached this city this afternoon about 5 o'clock, and that the treaty as amended by the senate of the United States, passed the Mexican senate about the hour of our arrival, by a vote of 33 to 5. It having previously passed the house of deputies, nothing now remains but to exchange the ratifications of the treaty."

On the next day (the 26th of May) the commissioners were, for the first time, presented to the president of the republic, and their credentials placed in his hands. On this occasion the commissioners delivered an address to the president of Mexico, and he replied. In their despatch of the 30th of May, the commissioners say: "We enclose a copy of our address to the president, and also a copy of his reply. Several conferences afterward took place between Messrs. Rosa, Cuevas, Conto, and ourselves, which it is not thought necessary to recapitulate, as we enclose a copy of the protocol, which contains the substance of the conversations. We have now the satisfaction to announce that the exchange of ratifications was effected to-day." This despatch was communicated with my message of the 6th of July last, and published by order of Congress.

The treaty, as amended by the senate of the United States, with the accompanying papers, and the evidence that in that form it had been ratified by Mexico, was received at Washington on the 4th day of July, 1848, and immediately proclaimed as the supreme law of the land. On the 6th of July, I communicated to Congress the ratified treaty, with such accompanying documents as were deemed material to a full understanding of the subject, to the end that Congress might adopt the legislation necessary and proper to carry the treaty into effect. Neither the address of the commissioners, nor the reply of the president of Mexico, on the occasion of their presentation, nor the memorandum of conversations embraced in the paper called a protocol, nor the correspondence now sent, was communicated, because they were not regarded as in any way material; and in this I conformed to the practice of our government. It rarely if ever happens that all the correspondence, and especially the instructions to our ministers, is communicated. Copies of these papers are now transmitted, as being within the resolutions of the house calling for all such "correspondence as appertains to said treaty."

When these papers were received at Washington, peace had been restored, the first instalment of three millions paid to Mexico, the blockades were raised, the city of Mexico evacuated, and our troops on their return home. The war was at an end, and the treaty, as ratified by the United States, was binding on both parties, and already executed in a great degree. In this condition of things it was not competent for the president

alone, or for the president and senate, or for the president, senate, and house of representatives, combined, to abrogate the treaty, to annul the peace and restore a state of war, except by a solemn declaration of war.

Had the protocol varied the treaty, as amended by the senate of the United States, it would have had no binding effect.

It was obvious that the commissioners of the United States did not regard the protocol as in any degree a part of the treaty, nor as modifying or altering the treaty as amended by the senate. They communicated it as the substance of conversations held after the Mexican Congress had ratified the treaty, and they knew that the approval of the Mexican Congress was as essential to the validity of a treaty in all its parts, as the advice and consent of the senate of the United States. They knew, too, that they had no authority to alter or modify the treaty in the form in which it had been ratified by the United States, but that, if failing to procure the ratification of the Mexican government otherwise than with amendments, their duty, imposed by express instructions, was to ask of Mexico to send, without delay, a commissioner to Washington to exchange ratifications here, if the amendments of the treaty proposed by Mexico, on being submitted, should be adopted by the senate of the United States.

I was equally well satisfied that the government of Mexico had agreed to the treaty as amended by the senate of the United States, and did not regard the protocol as modifying, enlarging, or diminishing, its terms or effect. The president of that republic, in submitting the amended treaty to the Mexican Congress, in his message on the 8th day of May, 1848, said: "If the treaty could have been submitted to your deliberation precisely as it came from the hands of the plenipotentiaries, my satisfaction, at seeing the war at last brought to an end, would not have been lessened as it this day is in consequence of the modifications introduced into it by the senate of the United States, and which have received the sanction of the president."—"At present it is sufficient for us to say to you that if, in the opinion of the government, justice had not been evinced on the part of the senate and government of the United States, in introducing such modifications, it is presumed, on the other hand, that they are not of such importance that they should set aside the treaty. I believe, on the contrary, that it ought to be ratified upon the same terms in which it has already received the sanction of the American government. My opinion is also greatly strengthened by the fact that a new negotiation is neither expected nor considered possible. Much less could another be brought forward upon a basis more favorable for the republic."

The deliberations of the Mexican Congress, with no explanation before that body from the United States, except the letter of the secretary of state, resulted in the ratification of the treaty, as recommended by the president of that republic, in the form in which it had been amended and ratified by the United States. The conversations imbodyed in the paper called a protocol, took place after the action of the Mexican Congress was complete; and there is no reason to suppose that the government of Mexico ever submitted the protocol to the Congress, or ever treated or regarded it as in any sense a new negotiation, or as operating any modification or change of the amended treaty. If such had been its effect, it was a nullity until approved by the Mexican Congress; and such approval was never made or intimated to the United States. In the final consummation of the ratification of the treaty by the president of Mexico no reference is made to it. On the contrary, this ratification, which was delivered to the

commissioners of the United States, and is now in the state department, contains a full and explicit recognition of the amendments of the senate just as they had been communicated to that government by the secretary of state, and been afterward approved by the Mexican Congress. It declares that, "having seen and examined the said treaty, and the modifications made by the senate of the United States of America, and having given an account thereof to the general Congress, conformably to the requirement in the XIVth paragraph of the 110th article of the federal constitution of these United States, that body has thought proper to approve of the said treaty, with the modifications thereto in all their parts; and, in consequence thereof, exerting the power granted to me by the constitution, I accept, ratify, and confirm, the said treaty with its modifications, and promise, in the name of the Mexican republic, to fulfil and observe it, and to cause it to be fulfilled and observed."

Upon an examination of this protocol, when it was received with the ratified treaty, I did not regard it as material, or as in any way attempting to modify or change the treaty as it had been amended by the senate of the United States.

The first explanation which it contains is "that the American government, by suppressing the ninth article of the treaty of Guadalupe and substituting the third article of the treaty of Louisiana, did not intend to diminish, in any way, what was agreed upon by the aforesaid article (ninth) in favor of the inhabitants of the territories ceded by Mexico. Its understanding is that all of that agreement is contained in the third article of the treaty of Louisiana. In consequence, all the privileges and guaranties, civil, political, and religious, which would have been possessed by the inhabitants of the ceded territories if the ninth article of the treaty had been retained, will be enjoyed by them, without any difference, under the article which has been substituted."

The ninth article of the original treaty stipulated for the incorporation of the Mexican inhabitants of the ceded territories, and their admission into the Union "as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights of citizens of the United States." It provided, also, that in the meantime, they should be maintained in the enjoyment of their liberty, their property, and their civil rights, now vested in them according to the Mexican laws. It secured to them similar political rights with the inhabitants of the other territories of the United States, and at least equal to the inhabitants of Louisiana and Florida when they were in a territorial condition. It then proceeded to guaranty that ecclesiastic and religious corporations should be protected in the discharge of the offices of their ministry, and the enjoyment of their property of every kind, whether individual or corporate, and finally, that there should be a free communication between the catholics of the ceded territories and their ecclesiastical authorities, "even although such authorities should reside within the limits of the Mexican republic, as defined by this treaty."

The ninth article of the treaty, as adopted by the senate, is much more comprehensive in its terms and explicit in its meaning, and it clearly embraces, in comparatively few words, all the guaranties inserted in the original article. It is as follows: "Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the

proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the constitution; and, in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property, and secured 'in the free exercise of their religion without restriction.' This article, which was substantially copied from the Louisiana treaty, provides equally with the original article for the admission of these inhabitants into the Union; and, in the meantime, while they shall remain in a territorial state, by one sweeping provision, declares that they "shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction."

This guaranty embraces every kind of property, whether held by ecclesiastics or laymen, whether belonging to corporations or individuals. It secures to these inhabitants the free exercise of their religion without restriction, whether they choose to place themselves under the spiritual authority of pastors resident within the Mexican republic or the ceded territories. It was, it is presumed, to place this construction beyond all question that the senate superadded the words "without restriction" to the religious guaranty contained in the corresponding article of the Louisiana treaty. Congress itself does not possess the power under the constitution to make any law prohibiting the free exercise of religion.

If the ninth article of the treaty, whether in its original or amended form, had been entirely omitted in the treaty, all the rights and privileges which either of them confers would have been secured to the inhabitants of the ceded territories by the constitution and laws of the United States.

The protocol asserts that "the American government, by suppressing the tenth article of the treaty of Guadalupe, did not in any way intend to annul the grants of lands made by Mexico in the ceded territories;" that "these grants, notwithstanding the suppression of the article of the treaty, preserve the legal value which they may possess; and the grantees may cause their legitimate titles to be acknowledged before the American tribunals;" and then proceeds to state that, "conformably to the law of the United States, legitimate titles to every description of property, personal and real, existing in the ceded territories, are those which were legitimate titles under the Mexican law in California and New Mexico up to the 30th of May, 1846, and in Texas up to the 2d of March, 1836." The former was the date of the declaration of war against Mexico, and the latter that of the declaration of independence by Texas.

The objection to the tenth article of the original treaty was not that it protected legitimate titles, which our laws would have equally protected without it; but that it most unjustly attempted to resuscitate grants which had become a mere nullity, by allowing the grantees the same period after the exchange of the ratifications of the treaty to which they had been originally entitled after the date of their grants, for the purpose of performing the conditions on which they had been made. In submitting the treaty to the senate, I had recommended the rejection of this article. That portion of it in regard to lands in Texas did not receive a single vote in the senate. This information was communicated by the letter of the secretary of state to the minister for foreign affairs of Mexico, and was in possession of the Mexican government during the whole period the treaty was before the Mexican Congress, and the article itself was reprobated in that letter in the strongest terms. Besides, our commissioners to Mexico had been instructed that "neither the president nor the senate of the United States

can ever consent to ratify any treaty containing the tenth article of the treaty of Guadalupe Hidalgo in favor of grantees of land in Texas or elsewhere." And again: "Should the Mexican government persist in retaining this article, then all prospect of immediate peace is ended; and of this you may give them an absolute assurance."

On this point the language of the protocol is free from ambiguity; but, if it were otherwise, is there any individual American or Mexican who would place such a construction upon it as to convert it into a vain attempt to revive this article which had been so often and so solemnly condemned? Surely no person could for one moment suppose that either the commissioners of the United States or the Mexican minister for foreign affairs ever entertained the purpose of thus setting at naught the deliberate decision of the president and senate, which had been communicated to the Mexican government with the assurance that their abandonment of this obnoxious article was essential to the restoration of peace.

But the meaning of the protocol is plain. It is simply that the nullification of this article was not intended to destroy valid legitimate titles to land which existed, and were in full force independently of the provisions and without the aid of this article. Notwithstanding it has been expunged from the treaty, these grants were to "preserve the legal value which they may possess." The refusal to revive grants which had become extinct was not to invalidate those which were in full force and vigor. That such was the clear understanding of the senate of the United States, and this in perfect accordance with the protocol, is manifest from the fact that, while they struck from the treaty this unjust article, they at the same time sanctioned and ratified the last paragraph of the eighth article of the treaty, which declares that, "in the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy, with respect to it, guaranties equally ample as if the same belonged to citizens of the United States."

Without any stipulation in the treaty to this effect, all such valid titles, under the Mexican government, would have been protected under the constitution and laws of the United States.

The third and last explanation contained in the protocol is, that "the government of the United States, by suppressing the concluding paragraph of article twelfth of the treaty, did not intend to deprive the Mexican republic of the free and unrestrained faculty of ceding, conveying, or transferring, at any time (as it may judge best), the sum of the twelve millions of dollars which the same government of the United States is to deliver in the places designated by the amended article."

The concluding paragraph of the original twelfth article, thus suppressed by the senate, is in the following language: "Certificates in proper form, for the said instalments respectively, in such sums as shall be desired by the Mexican government, and transferable by it, shall be delivered to the said government by that of the United States."

From this bare statement of facts, the meaning of the protocol is obvious. Although the senate had declined to create a government stock for the twelve millions of dollars, and issue transferable certificates for the amount, in such sums as the Mexican government might desire, yet they could not have intended thereby to deprive that government of the faculty which every creditor possesses of transferring for his own benefit the ob-

ligation of his debtor, whatever this may be worth, according to his will and pleasure.

It can not be doubted, that the twelfth article of the treaty, as it now stands, contains a positive obligation, "in consideration of the extension acquired by the boundaries of the United States," to pay to the Mexican republic twelve millions of dollars, in four equal annual instalments of three millions each. This obligation may be assigned by the Mexican government to any person whatever; but the assignee in such case would stand in no better condition than the government. The amendment of the senate, prohibiting the issue of a government transferable stock for the amount, produces this effect and no more.

The protocol contains nothing from which it can be inferred that the assignee could rightfully demand the payment of the money, in case the consideration should fail, which is stated on the face of the obligation.

With this view of the whole protocol, and considering that the explanations which it contained were in accordance with the treaty, I did not deem it necessary to take any action upon the subject. Had it varied from the terms of the treaty as amended by the senate, although it would, even then, have been a nullity in itself, yet duty might have required that I should make this fact known to the Mexican government. This not being the case, I treated it in the same manner I would have done had these explanations been made verbally by the commissioners to the Mexican minister for foreign affairs, and communicated in a despatch to the state department.

SPECIAL MESSAGE.

FEBRUARY 12, 1849.

To the Senate of the United States :—

I COMMUNICATE herewith a report from the secretary of the treasury, with the accompanying documents, in answer to the resolution of the senate of December 28, 1848, requesting "to be informed of the number of vessels annually employed in the coast survey, and the annual cost thereof, and out of what fund they were paid; also the number of persons annually employed in the said survey, who were not of the army and navy of the United States; also the amount of money received by the United States, for maps and charts made under such survey and sold under the act of 1844."

SPECIAL MESSAGE.

FEBRUARY 23, 1849.

To the Senate of the United States :—

I COMMUNICATE, herewith, a report of the secretary of state, together with the accompanying documents, in compliance with a resolution of the senate of the 23d ult., requesting the president "to transmit to the senate, so far as is consistent with the public service, any correspondence be-

tween the department of state and the Spanish authorities in the island of Cuba, relating to the imprisonment in said island of William Henry Bush, a citizen of the United States."

SPECIAL MESSAGE.

FEBRUARY 27, 1849.

To the Senate of the United States :—

I COMMUNICATE, herewith, a report from the secretary of state, in compliance with a resolution of the senate of the 3d ultimo, requesting the president to communicate to the senate "a list of all the treaties of commerce and navigation between the United States and foreign nations, conferring upon the vessels of such nations the right of trading between the United States and the rest of the world, in the productions of every country, upon the same terms with American vessels, with the date of the proclamation of such treaties. Also, a list of the proclamations conferring similar rights upon the vessels of foreign nations, issued by the president of the United States, under the provisions of the first section of the act entitled 'An act in addition to an act entitled "An act concerning discriminating duties on tonnage and impost, and to equalize the duties on Prussian vessels and their cargoes," approved May 24th, 1828.'

SPECIAL MESSAGE.

MARCH 2, 1849.

To the House of Representatives of the United States :—

I COMMUNICATE, herewith, a report of the secretary of state, together with the accompanying papers, in compliance with the resolution of the house of representatives of the 20th ultimo, requesting the president to communicate to that house, "a list of all consuls, vice-consuls, and commercial agents, now in the service of the United States; their residence, distinguishing such as are citizens of the United States from such as are not; and to inform the said house, whether regular returns of their fees and perquisites, and the tonnage and commerce of the United States, within their respective consulates or agencies, have been regularly made by each; and to communicate the amount of such fees and perquisites, for certain years therein specified, together with the number of vessels and amount of tonnage which entered and cleared, within each of the consulates and agencies for the same period; also the number of seamen of the United States, who have been provided for and sent home from each of the said consulates, for the time aforesaid."

ADMINISTRATION OF POLK.

On the fourth of March, 1845, James K. Polk was inaugurated as president of the United States. A concourse of people seldom congregated in the city of Washington were present to witness the ceremony. The weather proved unfavorable. The morning was lowering; and before the procession reached the capitol it commenced raining, and continued wet during the day, marring the enjoyments, and defeating the expectations of many, also much of the intended exhibition and display.

The ceremony at the capitol was imposing. The occasion was one of those striking displays of our republican system which he must be a stoic indeed that could contemplate with indifference. The flagstuffs of the whigs, as well as those of their triumphant rivals, were decorated, as an acknowledgment that the chief of the nation was there, and must be recognised.

The inaugural procession moved about eleven o'clock, A. M., from the quarters of the president elect, at Coleman's hotel, to the capitol, under the direction of General M'Calla and his aids. In the procession were the military of Washington, officers and soldiers of the revolution, the clergy, president elect and his predecessor, in an open carriage, President Tyler's cabinet, justices of the supreme court, diplomatic corps, members and ex-members of Congress, members of the Baltimore democratic national convention of 1844, officers of the army and navy, &c., democratic associations and clubs of the District of Columbia, and others from a distance, among whom was a detachment of the Empire club of the city of New York, citizens of states and territories, citizens of the District of Columbia, &c.

The senate convened at eleven o'clock, A. M. The oath being administered to Hon. George M. Dallas, vice-president elect, he delivered a brief address to the senators on taking his seat, after which the new senators were qualified. The justices of the supreme court, in gowns, and the diplomatic corps, twenty-nine in number, entered and took their seats; also General Scott, and other officers of the army and navy. About noon, the president elect, Mr. Polk, attended by President Tyler and Senator

Woodbury, entered the senate-chamber, when a procession was formed to the platform on the east front of the capitol, from which the president delivered his inaugural address. Chief-Justice Taney, then administered to the president the oath of office, after which the president, quitting the capitol, drove rapidly, by an indirect route, to the president's house, where he received, during the afternoon, the congratulations of his fellow-citizens. In the evening he and his lady attended the two inauguration balls which were given in the city.

The senate being in session, the president, on the fifth of March, made the following nominations for members of the cabinet, which were confirmed: James Buchanan, of Pennsylvania, secretary of state; Robert J. Walker, of Mississippi, secretary of the treasury; William L. Marcy, of New York, secretary of war; George Bancroft, of Massachusetts, secretary of the navy; Cave Johnson, of Tennessee, postmaster-general; John Y. Mason, of Virginia, attorney-general.

The tone of the inaugural address of Mr. Polk, on the subjects of the annexation of Texas to the territory of the United States, and of the occupation of the whole of Oregon, both of which questions had been adopted as watchwords by the democratic party, which had been triumphant at the recent presidential election, showed that the new administration entered upon its duties at a critical period, in the foreign relations of the United States. On the one hand, the annexation of Texas threatened to involve the nation in hostilities with Mexico, as the constituted authorities of that republic, had declared that they should view the admission of Texas into the Union of the North American republic of states, as an act of hostility toward Mexico; while, on the other hand, the claims of Great Britain to a large proportion of the Oregon territory, were not to be disregarded, without the danger of a rupture between that powerful kingdom and the United States.

With regard to the Texas question, resolutions for annexing that republic to the United States, had passed both houses of Congress (as we have stated on page 1427), and were approved by President Tyler, on the first of March, 1845, being one of the last acts of his administration. These resolutions of annexation had been objected to by Messrs. Benton and Bagby, senators of the democratic party, on the ground of its being indispensable to the accomplishment of annexation, that a treaty must be made with the government of Texas, as a foreign power, and that the treaty-making power, by the constitution, is vested in the president and senate, and not in Congress. At the suggestion of those two senators, an amendment was added to the resolutions from the house of representatives, giving a discretion to the president to adopt the latter method, of proceeding by treaty, if he thought proper, instead of the method of direct annexation contemplated by the resolutions from the house. It was understood that without that modification, the resolutions which passed the senate by a

majority of two votes, would not have received the votes of those two senators, and consequently, the measure of annexation would not have been carried. How far the constitutional objections of senators Benton and Bagby were obviated by the amendment, seems to have depended entirely upon their faith in the president's selecting the course they deemed to be in accordance with the constitution.

It was believed by some of the friends of the president elect, that he would immediately proceed to negotiate a treaty with Texas, to consummate the act of annexation, and which on being submitted to the senate would be approved, and thus the constitutional objections of many would be obviated. But the action of President Tyler, in the short space of time allowed him after the passage of the Texas resolutions before retiring from the presidency, anticipated the necessity of any decision on the part of President Polk, and hurried the annexation of Texas to the United States without the formality of a treaty. On the third of March, the last day of his term of office, President Tyler despatched a messenger to deliver to Mr. Donelson, chargé d'affaires to Texas, the joint resolutions of Congress for the admission of Texas into the Union, instructing the chargé to communicate to the Texan government, information, that he, as president of the United States, had made his election as to the alternative contained in the resolutions of Congress, looking to the admission of Texas into the Union — namely, that he had chosen the alternative of immediate annexation, as proposed by the original resolutions, instead of negotiating by treaty, as proposed by the amendment. The course of Mr. Tyler, in thus forestalling the action of the new president, was much censured by many of the friends of the incoming administration. The leading democratic journal at Washington, the *Globe*, remarked on this subject, that “to the chief magistrate chosen by the people with an especial eye to this question, *alone*, it is notorious the discretion confided in the act of Congress was intended to apply. It is clear that as Mr. Tyler began his presidential career in virtue of an accident, that he meant to take the benefit of the whole chapter of accidents, to blend himself with results having their origin in the counsels of Generals Jackson and Houston, and which his inauspicious management has so far marred in their progress.”

The resolutions of Congress annexing Texas to the United States, and admitting that republic into the Union, were submitted by the president of Texas to a convention of delegates, called for the purpose of forming a state constitution, and were assented to by that body in behalf of the people of Texas, on the fourth of July, 1845, and thus Texas became part of the United States.

The convention of Texas having authorized and requested the president of the United States to occupy and establish posts without delay upon the frontier and exposed positions of that republic, and to introduce such forces as were deemed necessary for the defence of the territory and people of

Texas, an "army of occupation" was despatched from the United States, under the command of General Taylor, and on the twenty-sixth of July, a body of United States troops landed from steam-vessels at Aransas bay, on which day the American flag was first planted in Texas, by authority, upon the south end of St. Joseph's island. This movement, with the measures of annexation agreed upon by the United States and Texas, were looked upon by the Mexican government as acts of hostility toward Mexico, and preparations were made by the republic for an appeal to arms.

In addition to the difficulties arising from the Texas question, there were other grounds of dispute between the United States and Mexico. In the wars between Spain and Mexico, caused by the attempts of the mother-country to resubjugate her colonies in America, as well as in the civil wars which occasionally convulsed the Mexican nation, the authorities of the latter power resorted to the most illegal measures to replenish their coffers. The proximity of the United States, and the extent of their commerce in the gulf, exposed them to the depredations of a government generally controlled by military chieftains, and thus were the pacific relations between the two republics often interrupted. Vessels under the American flag were plundered, and the property of American merchants confiscated. Blockades were attempted to be enforced by one contending party against the other, during the civil wars which distracted the republic of Mexico, and consequently the commerce of other nations was seriously injured by seizures under regulations and enactments which often appeared to have been unjustly and arbitrarily established.

The government of the United States remonstrated against the illegal seizures of the property of their citizens. Promises of redress were postponed or evaded, until at length a treaty of amity, commerce, and navigation, was concluded between the two republics, in April, 1831. But this did not terminate the aggressions of Mexico upon American commerce, and further remonstrances on the part of the United States, and delay on the part of Mexico, took place, until a new negotiation was opened in 1839, and a commissioner appointed for the adjustment of claims of American citizens, which commissioners met in 1840. The amount of claims in the aggregate was over six millions of dollars, over two millions of which were admitted, and the remaining four millions were left undecided, when the commission expired in February, 1842.

By another convention, concluded in January, 1843, the sum acknowledged and awarded to the American claimants, was admitted, by the Mexican government, and for the accommodation of the latter, the payment was divided into twenty instalments, three of which, with the interest due on the thirtieth of April, 1839, were paid, but the remaining instalments, commencing with that payable in April, 1844, were still due by Mexico on the breaking out of hostilities. The convention of January, 1843, also made provision for another convention for the settlement of the remaining

claims; in accordance with which, a third convention was signed at the city of Mexico, on the twentieth of November, 1843. This convention was ratified by the senate of the United States, with two amendments, which were considered just and reasonable. Although the subject was repeatedly urged upon the consideration of the Mexican government, she did not decide whether she would or would not accede to those amendments.*

On the sixth of March, 1845, General Almonte, the Mexican minister to the United States, protested against the resolutions of Congress, providing for the annexation of Texas, and demanded his passports, which were granted; and on the 2d of April, the American minister in Mexico was refused all intercourse with that government, upon the ground that the government of Mexico could not continue diplomatic relations with the United States, upon the presumption that such relations were reconcilable with the law of annexation. Herrera, the Mexican president, issued a proclamation on the 4th of June, 1845, declaring that the annexation of Texas in nowise destroyed the rights of Mexico, and that she would maintain them by force of arms. Two decrees of the Mexican Congress were affixed to this proclamation, providing for calling out all the armed forces of the nation.

Under these circumstances the diplomatic intercourse between the two republics was interrupted, and this state of things existed from the spring of 1845, until the commencement of actual hostilities in 1846.

The settlement of the northwestern boundary, between the United States and the territories of Great Britain, comprehending the claims of both powers to the Oregon territory, had long been a subject of negotiation. Three several unsuccessful attempts had been made to settle the questions in dispute between the two countries, by negotiation upon the principle of compromise. These negotiations took place at London, in the years 1818, 1824, and 1826; the first two under the administration of Mr. Monroe, and the last under that of Mr. Adams. By the convention of October, 1818, a system of joint occupancy of the Oregon territory, by American and British subjects was agreed upon, and the negotiation of 1826, resulted in the convention of August, 1827, by which it was agreed to continue the joint occupation for an indefinite period, and that it should be competent for either of the contracting parties, after the 20th of October, 1828, on giving due notice of twelve months to the other contracting party, to annul and abrogate the agreement of joint occupation.

Thus the Oregon question stood when President Polk came into power. Although, as he had declared previously to his election, he considered the American title good to the whole of Oregon, and that the British claims could not be maintained to any portion of that territory, he deemed it his duty to renew the propositions of compromise which had been made by

* Jenkins's History of the War with Mexico

his predecessors, to adjust the question on the parallel of forty-nine degrees of north latitude. A proposition was accordingly made to that effect, on the part of the United States, by Mr. Buchanan, the secretary of state, to Mr. Pakenham, the British plenipotentiary at Washington, and rejected by the latter, who after a correspondence of some length, suffered the negotiation on his part to drop, without submitting any other proposition. The president thereupon directed the proposition of compromise which had been made and rejected to be withdrawn, and the title of the United States to the whole of the territory of Oregon asserted.

Mr. Everett, the American minister at the court of Great Britain having been recalled, Louis M'Lane was, in June, 1845, appointed by President Polk, ambassador to that court, to succeed the former gentleman, and immediately embarked for London, where he arrived on the 1st of August, 1845. Mr. M'Lane had served in the same capacity, in 1830, during the administration of General Jackson.

The first session of the twenty-ninth Congress, commenced on the 1st of December, 1845, and continued until the 10th of August, 1846. The administration was sustained by a majority in both houses, the democratic party having been triumphant in a majority of the congressional districts, and succeeded in changing in their favor the political character of the senate. In the house of representatives the strength of parties was exhibited in the choice of speaker. John M. Davis of Indiana, the democratic candidate, was elected, receiving one hundred and twenty votes, against seventy-two, for Samuel F. Vinton, of Ohio (whig), and nineteen for other persons.

The principal recommendations of the president, in his first annual message to Congress were, a revision of the tariff of duties on imports, with a view to the reduction of the rates of duty, and a consequent withdrawal of the amount of protection to domestic industry, afforded by the tariff of 1842; and the establishment of an independent treasury system, similar to that which had been enacted under the administration of Mr. Van Buren, and repealed during that of Tyler. The president also recommended the passage of a resolution giving notice of the termination after one year of the agreement for the joint occupation of Oregon territory. These several measures of the new administration were adopted by Congress. A new tariff of duties, having in view the interests of the public revenue, and only incidentally that of protection, the bill being based on a plan drawn up by the secretary of the treasury, Mr. Walker, was enacted, after a protracted discussion, by a vote of one hundred and fourteen to ninety-four in the house, and by twenty-eight to twenty-seven in the senate. On the question of discharging a committee to whom the bill was referred for amendment, the senate was equally divided, when Mr. Dallas, the vice-president, gave the casting vote in the affirmative, and the bill was subsequently passed, as above stated, to take effect on the 1st of December

1846. A warehouse bill was also passed at this session, authorizing the warehousing in public stores of imported articles subject to duty for a limited period, without payment of duties until wanted for home consumption or exportation. The tariff and warehouse acts gave great dissatisfaction to the manufacturing interests, particularly in Pennsylvania, and other middle states, where the large iron and other establishments, most affected by the reduction of duties and the substitution of *advalorem* rates of duty instead of specific duties, are situated.

The difficulties with Mexico having assumed a hostile character, and rencontres between the American and Mexican troops on the Rio Grande having taken place, an act was passed by Congress, on the 13th of May, 1846, declaring, that "by the act of the republic of Mexico, a state of war exists between that government and the United States," and placing the militia, naval, and military forces of the United States, at the disposal of the president to enable him to prosecute the war to a speedy and successful termination. The whig members in order to secure unanimity, proposed to strike out the preamble of the bill, but the motion was refused by the friends of the administration, and the bill with the preamble passed the house, one hundred and forty-two to fourteen, and the senate by a vote of forty to two. On the same day the president issued his proclamation, under the provisions of the act.

The declaration of war, was of course, followed by enactments for carrying it on with vigor. Whatever the president asked for from Congress, was promptly voted, and with uncommon unanimity. The army proper was authorized to be augmented to nearly double its usual force. The navy was placed upon a war establishment and considerably enlarged. A volunteer force of fifty thousand men was authorized. Loans and treasury-notes to the amount of ten or twelve millions were authorized. Appropriations of ten millions in one sum, and in another of twelve millions, and various amounts in other bills, were granted within the space of a few weeks.

The Smithsonian Institution was established by enactment at this session, to be located at Washington, and sustained by funds bequeathed to the United States, by Mr. Smithson an English gentleman, for the purposes of literature, science, and education.

Acts, under which senators and representatives from Texas took their seats in Congress, were passed, also preliminary acts providing for the admission into the Union of the states of Iowa and Wisconsin.

Besides the bills enacted, the two houses passed and sent to the president for his signature, a bill for improving rivers and harbors, and a bill granting payment to American citizens for French spoliations on American commerce, which had been settled by treaty between France and the United States. Both of these bills the president returned with his veto and they were lost.

A resolution for terminating the joint occupation of Oregon by the United States and Great Britain, passed both houses.

Near the close of the session of this Congress, a bill being before the house, authorizing the president to use the sum of three millions of dollars if he deemed expedient, in negotiating a treaty of peace with Mexico, Mr. Wilmot, a representative from Pennsylvania, friendly to the administration, moved to add thereto a *proviso*, in the words following: "That there shall be neither slavery nor involuntary servitude, in any territory on the continent of America, which shall hereafter be acquired by, or annexed to, the United States by virtue of this appropriation, or in any other manner whatsoever, except for crimes whereof the party shall have been duly convicted: *Provided always*, That any person escaping to such territory, from whom labor or service is lawfully claimed, in any one of the United States, such fugitive may be lawfully reclaimed and conveyed out of said territory to the person claiming his or her labor or service."

This proviso was adopted with little discussion, but not without calling forth much feeling, by the house, nearly all the members from the free states supporting, while those from the slaveholding states opposed it. The bill thus amended was on the last day of the session sent to the senate, and was promptly met by Mr. D. H. Lewis of Alabama, with a motion to strike out the proviso. Mr. Davis of Massachusetts rose in opposition to this motion, and was speaking against it, when word was brought that the house had adjourned — the hour of adjournment, noon, having been struck by the clock in the house, though not yet reached by the senate's clock. The bill therefore failed for the session.

The controversy with Great Britain, respecting the northwestern boundary and the Oregon territory, was settled by a treaty negotiated, June 15, 1846, at Washington, by Mr. Buchanan, on the part of the United States, and Mr. Pakenham, on the part of Great Britain. The basis of this treaty was a settlement of the boundary line on the forty-ninth degree of north latitude. The proposition was made by the British government, through Mr. McLane, American minister at London, and was submitted as soon as received by the president to the senate, asking their advice respecting the expediency of accepting the stipulations, and accompanying this application with a declaration that his own opinions on the Oregon question remained unchanged. The advice of the senate was given to the president, to negotiate with the British government, and he therefore caused the *projet* to pass through the usual forms of negotiation, when, after discussion, it was duly ratified by the senate in June, 1846. By this treaty the last remaining subject of controversy between the United States and Great Britain was removed, and the relations of the two countries were thus placed on the most firm and amicable footing.

During the first session of the twenty-ninth Congress, the affairs of the United States with Mexico, assumed a decidedly hostile character, as

already stated. In the month of March, 1846, the largest part of the regular army of the United States, having been previously concentrated at Corpus Christi, under the command of Gen. Taylor, for the protection of Texas; that officer was ordered by the war department to move forward to the left bank of the Rio Grande. About the last of March, the army arrived at the latter point, and selected a position for the army opposite to Matamoras, at the same time establishing a dépôt of supplies at Point Isabel, about thirty miles in his rear, and near the coast.

The three Mexican generals commanding the troops on the Rio Grande, Meja, Ampudia, and Arista, declared that the advance of Gen. Taylor and his army was a hostile movement. The American government claimed that the territory of Texas extended to the Rio Grande, while the Mexicans insisted that the river Nueces was the true boundary of Texas. On the 24th of April, the Mexican general Arista informed General Taylor that "he considered hostilities commenced and should prosecute them." On the same day a detachment of American dragoons sent on the left bank of the river to observe the movement of the Mexican forces, became engaged with a large body of these troops, and after a short affair, in which some sixteen were killed and wounded, the American detachment was compelled to surrender.

After this occurrence, General Taylor, availing himself of the authority vested in him by the president and the war department, called on the governors of Texas and Louisiana, for four regiments of volunteers from each state, to be sent forward with the least practicable delay. On the 8th of May, General Taylor being on his return from Point Isabel to the Rio Grande, with his army, encountered the Mexicans in considerable force at Palo Alto, where an action ensued, and the Mexicans were defeated. On the next day the hostile forces again met seven miles in advance, at Resaca de la Palma, when the Americans were again victorious, and the Mexicans retreated with great loss, across the Rio Grande. During Gen. Taylor's absence, Fort Brown opposite Matamoras, was bombarded by the Mexican batteries from the 4th to the 9th of May.

As soon as it became known at Washington, that hostilities had commenced, by the affair of the 24th of April, Congress recognised the existence of a state of war between the United States and the republic of Mexico, and on the 13th of May authorized the president to accept the services of volunteers, not to exceed fifty thousand. Under this act, requisitions were immediately made upon the governors of eleven of the southern and western states for a volunteer force, amounting to twenty-three thousand effective men. This call was promptly responded to, much the larger portion of the force being designed to co-operate with the regular army under General Taylor on the Rio Grande. After establishing his base of operations on that river for several hundred miles, Gen. Taylor, who, on the 18th of May, had taken military possession of the city of

Matamoras, moved into the enemy's country, in the direction of Monterey, in the department of New Leon. Another portion of the volunteers was concentrated under General Wool, at San Antonio de Bexar, for a movement upon Chihuahua; and the volunteers from the state of Missouri assembled at Fort Leavenworth, to compose, with a few hundred regular troops, an expedition to Santa Fe, in New Mexico, under Gen. Kearney.

The army under General Taylor arrived before Monterey, on the 19th of September, 1846, and commenced the attack on that strongly-fortified city, on the 21st, the battle continuing through that and the two successive days. The Americans attacked the enemy in his fortified position, captured his batteries, and various fortresses, when terms of capitulation, were solicited by the Mexican general, and liberal terms were granted by the American commander.

The advanced column under General Wool, destined for Chihuahua, commenced its march from San Antonio de Bexar, on the 29th of September, and soon after penetrated the department of Coahuila, to Monclova, the ancient capital of the province, which town the American army entered on the 29th of October, being favorably received by the inhabitants. Gen. Wool with his army afterward formed a junction with the forces under, General Taylor at Saltillo.

General Kearney, with the force under his command, moved from Fort Leavenworth upon Santa Fe, where he arrived, after a march of eight hundred and seventy-three miles, on the 18th of August, 1846, and took military possession of New Mexico without resistance. Agreeably to his instructions, General Kearney then established a temporary civil government in New Mexico, and departed with a portion of his forces for California. On his route thither he met an express sent by Commodore Stockton, and Captain (afterward Lieutenant-Colonel) Fremont, who reported that they were already in possession of the Californias. On receiving this intelligence, General Kearney sent back part of his troops, and with about one hundred dragoons continued his march for California, where he arrived in the month of December, 1847. After various actions and skirmishes with the enemy, the American forces remained in quiet possession of the Californias. General Kearney continued in command until the 31st of May, 1847, when he returned home, leaving Colonel Mason as the commanding officer to succeed him in the military government of California.

Various other successes attended the American arms by land and water, during the first year of the war with Mexico. In December, 1846, the secretary of war, reported that, by the operations of the land and naval forces, the United States were then in military possession of the department of Tamaulipas, of the right bank of the Rio Grande, for several hundred miles from its mouth; and, of the department of New Leon, Coahuila and Chihuahua were then, in effect, wrested from the control of Mexico; all Mex-

ican authority had been displaced in New Mexico and the Californias, and those large provinces were in quiet possession of the Americans. "Such," says the secretary, "are the achievements of our arms within the short period of seven months from the commencement of a war suddenly forced upon us, when our force was less than three thousand effective men, with a hostile army of double its numerical strength prepared to assail it, and exulting in the confident hope of a decisive victory."

On the 22d of February, 1847, was fought the important battle of Buena Vista, near Saltillo, the capital of Coahuila, by the American troops under Gen. Taylor, and the Mexican army under Gen. Santa Anna. The latter consisted of twenty thousand men, while the American forces were less than one fourth of that number, not five hundred of whom were regulars. The action continued two days, after which the Americans were left in possession of the field, and the Mexicans retreated to San Luis Potosi. The loss on both sides was severe, that of the Mexicans over fifteen hundred, and of the Americans about seven hundred and fifty in killed and wounded.

The second session of the twenty-ninth Congress, commenced on the 7th of December, 1846, and continued until the expiration of its term on the 3d of March, 1847. But few acts of general interest were passed, and much of the time of the session was taken up in discussing the topics of the president's message, particularly the war with Mexico, and its probable effect upon the general interests of the country. The bill authorizing the president to employ three millions of dollars, if deemed expedient, in negotiations for a peace with Mexico, was again revived, and the proviso offered by Mr. Wilmot at the last session, prohibiting slavery in acquired territory, was again proposed as an amendment, and at first the proviso passed the house, but being stricken out in the senate and returned to the house, the latter body concurred with the senate, and thus the three million-bill became a law, without the Wilmot proviso, as the amendment was called. An additional army bill, and another authorizing the appointment of additional army officers, were passed; also an act to provide for the building of four mail-steamships, and the employment of twelve mail-steamships. A bill making appropriations for the improvement of harbors and rivers passed both houses, but failed of obtaining the president's signature, being retained by the executive at the close of the session.

During the month of February, 1847, an American land and naval force was concentrated on the gulf of Mexico; the military being under the command of Major-General Scott, and the naval forces under Commodore Connor, who was afterward relieved by Commodore Perry. On the 9th of March, the troops were debarked at Vera Cruz, and on the following day a rapid fire of shot and shells was opened from the city and castle, upon the position occupied by the American army. The landing of the

mortars and guns for the American batteries was delayed for several days; consequently the arrangements for a bombardment were not completed until the 22d of March, when General Scott summoned the city to surrender, which demand was refused by the Mexican governor, Morales. Orders were then given to fire upon the city, and a continued fire from the American batteries was kept up with terrible effect until the 26th of March, when the batteries ceased playing, and articles of capitulation were signed on the following day. The surrender of the city took place on the morning of the 29th, when the Mexican soldiers marched out to a plain, one mile outside of the town, where the Americans were drawn up to receive them. The Mexicans laid down their arms and departed for the interior.

A succession of battles, with uniform success, was fought by the army under General Scott, on their march from Vera Cruz to the city of Mexico, which capital they entered on the 14th of September, 1847.

Changes having taken place in the Mexican government, and a party favorable to peace with the United States placed in power, the leaders of which party could not fail to perceive the hopelessness of a farther contest with their more powerful neighbor, commissioners were appointed by the Mexican government to treat with Mr. Trist, who had been authorized by the president of the United States to negotiate a treaty. Notwithstanding the powers delegated to Mr. Trist had been revoked, negotiations were opened and continued until the 2d of February, 1848, when a treaty of peace was signed by the Mexican commissioners and Mr. Trist, at the city of Guadalupe Hidalgo. By this treaty, the Rio Grande was acknowledged as one of the boundaries between the United States and Mexico, thus confirming the claims of the United States to Texas, and the territory between the river Nueces and the Rio Grande. New Mexico and Upper California were also ceded to the United States, in consideration of which the United States agreed to pay to Mexico, the sum of ~~fifteen~~^{ten and a half} millions of dollars; and to assume the claims due her citizens, to an amount not exceeding three and one fourth millions of dollars—Mexico being entirely released and discharged from the payment of such claims. This treaty was duly ratified by the Mexican Congress, and by the senate of the United States, and on the 4th of July, 1848, the president of the United States issued his proclamation, directing the same to be observed by the authorities and people of the Union.

The elections for members of the thirtieth Congress, held in 1846 and 1847, showed that the administration was not able to sustain the popularity by which it came into power. While the war with Mexico was unpopular in some of the states, in others the repeal of the protective tariff of 1842, and the passage by a democratic Congress of the tariff act of 1846, which was avowedly based on a revenue principle, instead of that of protection, were measures which were regarded with disfavor by a large portion of the people by whose votes the democratic triumph at the presiden-

tial election of 1844 was effected. Consequently the congressional elections in Pennsylvania, New York, and some other states, showed a large gain in favor of the whig party, and in opposition to the administration. In the state of New York, the whigs were aided by local dissensions in the democratic party, which became divided into two sections called eventually "hunkers" or conservatives, and "barnburners" or radicals. At the election of 1846, Silas Wright belonging to the barnburner faction, being nominated for re-election as governor, was defeated, and the whig candidate, John Young, elected by a large majority, many of the hunkers withholding their votes from Mr. Wright, who in 1844, had been elected governor by a majority exceeding ten thousand. At the election of 1846, a large majority of the members of Congress, elected from the state of New York, were of the whig party.

The result of the elections for members of Congress throughout the country, being known before the meeting of the thirtieth Congress, it was well ascertained that a majority of the house of representatives would be found opposed to the administration, while a majority of the senate continued democratic in its character.

The first session of the thirtieth Congress commenced on the 6th of December, 1847, and continued until the 14th of August, 1848. Robert C. Winthrop, of Massachusetts (whig), was elected speaker of the house of representatives on the third ballot, receiving one hundred and ten votes; Linn Boyd of Kentucky (democrat), sixty-four — other democratic candidates forty-one, and there were three scattering whig votes. A whig clerk and serjeant-at-arms were also elected.

But few important acts of a general character were passed at this session. A loan of sixteen millions of dollars was authorized, and an act for the purchase of the papers of Mr. Madison, fourth president of the United States, was passed. A bill for the organization of the territory of Oregon was also passed.

A national convention of the democratic party, for the nomination of president and vice-president, was held at Baltimore, in May, 1848. The two sections of the democratic party in New York were represented at the convention, and each delegation claimed admission. It was finally decided to admit both delegations, but each of them declined to take their seats, and consequently, New York was not represented in the convention. On the fourth ballot the convention nominated General Lewis Cass for president, and General William O. Butler of Kentucky, was afterward nominated for vice-president.

The national convention of the whig party met at Philadelphia, on the 1st of June, 1848. Much difference of opinion prevailed in the selection of a candidate for president, the principal candidates named, being Zachary Taylor of Louisiana, Henry Clay of Kentucky, Winfield Scott of New Jersey, and Daniel Webster of Massachusetts. On the third ballot

General Taylor was nominated, receiving one hundred and seventy-one votes, General Scott sixty-two, Henry Clay thirty-two, and Daniel Webster thirteen. In point of fact, this nomination had been settled from the beginning. Many delegates who had voted for other candidates at first, were known to be really in favor of General Taylor, believing him the most available candidate, in consequence of his successful campaigns in Mexico, and only voting for other candidates in deference to the opinions of their constituents. Millard Fillmore of New York was on the second ballot, nominated for vice-president by a decided majority.

The agitation of the Wilmot-proviso question, by which it was proposed to restrict or prohibit slavery, in the territory acquired by the United States from Mexico, caused the formation of a third party, called "the free-soil party," merging in its ranks most of those who had been organized as abolitionists, and drawing additional strength from both the whig and democratic parties in the northern states. A convention of the free-soil party was held at Buffalo, in the state of New York, on the 8th of August, 1848 and nominated Martin Van Buren of New York, for president, and Charles Francis Adams of Massachusetts, for vice-president.

On the 7th of November, 1848, the presidential election took place throughout the Union, and resulted in the choice of the whig candidates, General Taylor for president, and Millard Fillmore for vice-president, each of whom received one hundred and sixty-three electoral votes. The democratic candidates, General Cass and General Butler, each received one hundred and twenty-seven electoral votes. The free-soil candidates, Van Buren and Adams, did not receive any of the electoral votes, as they were all given by states, but their aggregate popular vote exceeded two hundred and ninety thousand.

The second session of the thirtieth Congress commenced on the 4th of December, 1848, and continued until the expiration of its term on the 4th of March, 1849.

The principal subject of public interest agitated at this session, was that of the organization of governments, for the newly-acquired territories by cession from Mexico, namely, New Mexico, and California; but in consequence of disagreement between the senate and house of representatives, with regard to the prohibition of slavery in those territories, all attempts made to pass laws for their organization as territorial governments, or otherwise, were unsuccessful. A majority of the house of representatives were in favor of the "Wilmot-proviso" so called, by which slavery would be prohibited in the new territories, while a majority of the senate were opposed to such proviso or restriction.

Early in the session, Mr. Douglass, of Illinois, introduced in the senate a bill for the admission of California, as a state, into the Union, without the preliminary measure of a territorial government, which had been the uniform precedent established by Congress, except in the case of the admis

sion of Texas. Mr. Douglass gave as his reasons, for introducing the bill, that the discovery of vast mineral wealth in California, and the establishment of facilities for communication therewith, had invited so great a tide of emigration thither, as to give reason to believe that it will soon possess a population far exceeding that requisite for her admission into this confederacy as a state; and that he despaired of any territorial bill being passed at this session of Congress; three different bills presented for that purpose, having already been rejected. His bill provided for the election of all the territory acquired from Mexico, into one state, by the name of the state of California, Congress reserving the right, at any time, to form new states out of any portion of said territory, lying east of the Sierra Nevada mountains; the state to be divided into two judicial districts.

The above bill was referred to the judiciary committee, which on the 9th of January, made an unfavorable report therein, and recommended the establishment of a territorial government, for each of the two territories of New Mexico and California. In the opinion of a majority of the committee, the power conferred by the constitution on Congress is to admit new states — not to create them.

The subject being referred to a select committee, Mr. Douglass, the chairman thereof, on the 29th January, reported a new bill, providing for the formation of two new states from the territories in question, and leaving the question of slavery to the decision of the people thereof. The bill having been laid aside for the day, on the 2d of February, Mr. Douglass moved that it be again taken up; which motion was negatived by a very decided vote of the senate.

On the 20th of February, Mr. Walker of Wisconsin, submitted in the senate, an amendment to the civil and diplomatic appropriation bill, providing for the extension of the revenue laws of the United States, over California and New Mexico; also to extend the constitution of the United States, and all general laws which are applicable, over the same; likewise that the president appoint the officers, and make the necessary regulations to carry these provisions into effect — the object being to preserve order and administer justice in these territories.

After an able and interesting debate, which was continued for several days, the senate adopted Mr. Walker's amendment by a small majority, but in the house of representatives the bill was further amended by attaching thereto the Wilmot-proviso, prohibiting slavery in the new territories, which the senate refused to accede to, and the debates in the two houses on this subject continued until the very last hour of the session; indeed so as to jeopard the passage of the civil and diplomatic appropriation bill altogether; when finally at five o'clock on Sunday morning, 4th March, the senate, by a vote of thirty-eight to seven, disagreed to the California amendment of the house and receded from their own amendment, thus clearing the appropriation bill of obstructions and passing it — of course

sweeping out of the bill, everything relating to a temporary government for California and New Mexico. A bill which had previously passed the house of representatives, extending the revenue laws of the United States to California, was then taken up and passed by the senate.

Mr. Benton, on the 13th December, presented in the senate, a petition from citizens of New Mexico, praying for the organization of a territorial government, protesting against the dismemberment of their territory in favor of Texas, and containing the following clause on the subject of slavery :—

“ We do not desire to have domestic slavery within our borders, and until the time shall arrive for our admission into the Union as a state, we desire to be protected by Congress against its introduction among us.”

After considerable debate, this petition was ordered to be printed, and referred to the appropriate committee.

Various propositions were introduced at this session to grant the aid of the national government to railroad communications, to be constructed between the waters of the Atlantic and Pacific oceans, but no definite action was had on either of these plans. A bill was reported in the senate, by Mr. Benton, from the committee on military affairs, authorizing and directing the secretary of the navy to enter into a contract, for a period not exceeding twenty years, with William H. Aspinwall, John L. Stephens, and Henry Chauncey, of New York, for the transportation, by steam, of the mails, naval and army supplies, &c., over a railroad to be constructed across the isthmus of Panama, from the Atlantic to the Pacific ocean; at a sum not exceeding three fourths of the amount now stipulated by law to be paid for the transportation of the mails alone from New York to Liverpool. This bill, although pressed and debated until the last days of the session, failed to receive the support of a majority of the senate.

Mr. Benton also introduced in the senate a bill, which was not acted upon, providing for the location and construction of a central national railroad from the Pacific ocean at San Francisco, to the Mississippi river at St. Louis; with a branch to the tidewater of Columbia river — appropriating therefor, seventy-five per cent. of the proceeds of sales of the public lands in Oregon and California, and fifty per cent. of the amount of sales of all other public lands.

A convention of southern members of Congress, comprising a large portion of the members of both houses from the slaveholding states, which was held during this session, attracted considerable of the public attention. The motive for calling this convention arose mainly from the previous proceedings in the house of representatives at the present session, relating in part to the subject of slavery, and the slave-trade in the District of Columbia, and in part to the question of the prohibition of slavery in the recently-acquired territories of California and New Mexico.

The first meeting was held in the senate chamber, on the 23d Decem-

ber, 1848, at which were present sixty-eight members of Congress. Ex-Governor Metcalfe, senator from Kentucky, presided. Mr. Bayly, a member of the house, from Virginia, offered a series of resolutions, embracing essentially the principles of the Virginia resolutions of 1798. These resolutions of Mr. Bayly were referred to a committee of one member from each of the slaveholding states, which committee appointed a sub-committee of five, of whom Mr. Calhoun, of South Carolina, was chairman, to consider and report upon the subjects referred to them.

On the 15th of January, the convention again met, between eighty and ninety members attending; and Mr. Calhoun, from the committee of fifteen, reported "an address of the southern delegates to their constituents," — which paper, after giving a review of the constitutional provisions in relation to slavery, and the rights of the slaveholding states under that instrument, set forth the alleged infractions of these provisions by the northern or free states, and advised the south to be united among themselves in the present crisis, and to maintain an immovable attitude of readiness, if necessary, to defend their rights.

The address having been recommitted to the committee, the convention again met on the 22d of January, when Mr. Berrien, of Georgia, submitted an "address to the people of the United States," as a substitute for that of Mr. Calhoun; which substitute the convention, by a vote of twenty-seven to thirty-four, refused to adopt. Mr. Calhoun's address was then adopted by a vote of forty-two yeas, to seventeen nays, and after being signed by forty-eight members, thirty thousand copies of it were published for distribution. Of the signers, two were whigs, and forty-six democrats.

The principal acts of public importance passed at this session were as follows: to establish the home department, and to provide for an assistant secretary of the treasury, and a commissioner of the customs; to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein; to establish the territorial government of Minnesota; to make arrangements for taking the seventh census; to authorize the coinage of twenty and one dollar gold pieces; requiring all moneys receivable from customs and from all other sources to be paid immediately into the treasury, without abatement or deduction; to cause the northern boundary line of the state of Iowa to be run and marked; to carry into effect certain stipulations of the treaty between the United States and Mexico; and a resolution authorizing the secretary of war to furnish arms and ammunition to emigrants to Oregon California, and New Mexico.

A convention or treaty between the governments of the United States and Great Britain, "for the improvement of the communications by post between their respective territories," was signed in London on the 15th of December, 1848, by Lord Palmerston, on the part of the British government, and Mr. Bancroft, on the part of the United States. This was confirmed by the United States senate on the 5th of January, 1849

In 1846, Mr. M'Lane, minister plenipotentiary to Great Britain, having returned to the United States, George Bancroft was appointed in his place, and consequently resigned as secretary of the navy. To the latter office John Y. Mason was transferred from that of attorney-general, and Nathan Clifford, of Maine, succeeded Mr. Mason. In 1848, Mr. Clifford was appointed minister to Mexico, and was succeeded in the office of attorney-general by Isaac Toucey, of Connecticut.

The administration of Mr. Polk, which terminated on the 4th of March, 1849, was marked by measures and events of the most decided and important character on the interests of the country ; among its most important features, was the war with Mexico, began, as we have seen, under circumstances which rendered it unpopular with a considerable portion of the people of the United States, but, in consequence of the unchecked triumphs of the American arms, and the unsurpassed valor and skill of the military and naval forces of the United States employed in Mexico, eventually became popular with the people, and was carried on and brought to a successful and honorable conclusion by the same administration which had commenced it. The advantages gained by this war, as claimed by the friends of the administration, were, the acquisition of the large and important territories of New Mexico and California, by which the area of the United States territory was greatly extended, and the boundary with Mexico permanently settled — the newly-acquired countries being of great value on account of their mineral wealth, and possessing important harbors on the Pacific ocean ; also the elevation of the reputation of the people of the United States ; and the Mexicans being taught by experience, their inferiority and inability to contend with their northern neighbors, will avoid causes of war on their own part, while their cession of territory to the United States will hasten the peopling and improvement of those portions of the continent of North America, which, under the dominion of the Spanish race, have hitherto lain waste and unoccupied. Those who disapproved of the war contend that a collision of arms might have been avoided by proper measures on the part of the administration of Mr. Polk, and that the advantages gained by the conquests of our army are more than counterbalanced by the sacrifice of more than twenty-five thousand lives of citizens of the United States, lost during the war, by battles, sickness, and other casualties, and at a cost of over one hundred millions of dollars.

The other prominent measures of Mr. Polk's administration were, the settlement of the Oregon boundary question with Great Britain ; the establishment of an independent treasury system, by which the revenues of the nation are collected in gold and silver, or treasury-notes, without the aid of banks ; and a revision of the tariff, by which the establishment of an ad valorem system of duties on imports, accompanied with a warehouse system, has been effected ; on the policy of which financial measures the American people have been, and still continue to be, divided in opinion.



Fig. 4 by V. B. Smith from a De Quetteville type

Z Taylor

BIOGRAPHICAL SKETCH
OF
ZACHARY TAYLOR.

VIRGINIA, the "Ancient Dominion" of the British American colonies, has obtained also the name of the "Mother of Presidents," among the states; it being the native state of no less than seven of the presidents of the United States, including ZACHARY TAYLOR, the twelfth on the list of those who have filled that high station. It is worthy of remark, that three of these Virginians have been elected without the aid of the electoral votes of their native state.

The family of the Taylors of Virginia, to which the twelfth president belongs, is honorably distinguished in the annals of the colony and the state. Its ancestors of the same name emigrated from England, with other friends of liberty, and settled in the southeastern part of the colony of Virginia in the year 1692. Among the different branches and connexions of the family are the Madisons, Lees, Barbours, Pendletons, Conways, Taliaferos, Hunts, Gaineses, and others, whose public services and patriotism, during more than a century, are commemorated in colonial and national history.

Richard Taylor, the father of General Zachary Taylor, was born in Virginia, on the 22d of March, 1744. He received a plain but solid education, and in boyhood evinced the bold and adventurous spirit which afterward led him to seek a home in the western wilderness. When still a youth, he made a journey to Kentucky, and thence to the banks of the Mississippi, surveying the country as far as Natchez, and returning on foot, without guide or companion, through pathless woods, inhabited only by savages and wild beasts, to his father's house in Virginia.*

At the age of thirty-five, on the 20th of August, 1779, Richard Taylor married Sarah Strother, a young lady of highly respectable connexions, then in her twentieth year. At this time he held a colonel's commission

* For part of the facts mentioned in this sketch, we are indebted to Fry's *Life of General Taylor*; also to Montgomery's memoir of the same.

in the Virginia line, and served with zeal and valor throughout the revolutionary war. He was engaged in several of the most important battles of that war, particularly in the brilliant achievement of Trenton, where he rendered distinguished and valuable aid to General Washington.

Five sons and three daughters were the offspring of the marriage of Colonel Richard Taylor—the first child born in 1781. His third son, ZACHARY TAYLOR, the subject of this memoir, was born in Orange county, Virginia, on the 24th of November, 1784. In the following summer his father fulfilled his long-cherished intention of emigrating to Kentucky, only ten years after the first habitation of a white man had been erected in the vast region between the western boundary of Virginia and the Mississippi. In the emigration of Colonel Richard Taylor to this country, he had been preceded by his brother Hancock Taylor, a brave and intelligent man, who lost his life by the Indians while engaged in surveying lands in the Ohio valley. He is said to have selected for his farm the site of the present city of Louisville.

The early years of Zachary Taylor were passed under the guidance of such men, and under such circumstances for the development of a bold spirit and active intellect. His father had settled in Jefferson county, near Louisville, where he acquired a large estate by his industry and thrift, and honorable consideration by his intelligence, bravery, and patriotism. As Louisville rose into importance, his own fortune and local distinction increased. He received from President Washington a commission as collector of that port, New Orleans being then a Spanish possession. Richard Taylor was also one of the framers of the constitution of Kentucky; represented Jefferson county for many years in both branches of the legislature, and was a member of the electoral colleges which voted for Jefferson, Madison, Monroe, and Clay. Among the politicians of Kentucky he is remembered as one of the few men of the "Old Court party" who could be elected from Jefferson county during the excitement of the old and new court question. He died on his plantation, near Louisville, leaving to survive him three sons and three daughters, of whom one son and two daughters have since died. His two surviving sons, Zachary and Joseph, have both chosen a military profession, as did their brother Hancock, who died in 1808.

One of the chief cares of Colonel Taylor was the education of his children; but during the first ten or fifteen years of his residence in Kentucky, the sparseness of the population, and the exposure of the inhabitants to Indian hostilities, made the accomplishment of his purpose very difficult. A school for the rudiments of English merely was established in his neighborhood by Elisha Ayres, a native of Connecticut, who afterward returned to that state, and now resides, at the advanced age of four-score years, at Preston, near Norwich. To Mr. Ayres, as his teacher, was Zachary Taylor sent in his early years, to receive such instruction as

was practicable under the circumstances, while constant care and watchfulness were necessary on the part of his father and other guardians of his youth, for protection against savage foes.

After the Indians were subdued by the decisive victory of General Wayne, in 1794, a general peace was concluded with them, in the following year, and from that period the prosperity of Kentucky advanced rapidly with the increase of population. Zachary Taylor was reared by his father to his own profession, that of a farmer; and, until he attained the age of twenty-one, was practically engaged in that laborious occupation, laying the foundation of the robust health, hardy habits, and persevering industry, which have been the test of various climates, rude fare, and severe duty, during a military life of more than forty years. The military service very early engaged his affections and excited his ambition. When Aaron Burr's movements in the west began to arouse suspicion, the patriotic young men of Kentucky formed volunteer companies to oppose his designs by arms, if occasion should demand such a result. The brothers Taylor were enrolled in a troop raised for this purpose. Their services were not required by the events, and after the alarm had subsided, Zachary returned to his farm.

On the death of his brother, Lieutenant Hancock Taylor, who held a commission in the United States army, an opportunity was afforded Zachary of obtaining the vacancy. Through the influence of his relative, James Madison, then secretary of state, and of his uncle, Major Edmund Taylor, he received from President Jefferson, on the 3d of May, 1808, his commission as first lieutenant in the seventh regiment of United States infantry. At this time, when he was in the twenty-fourth year of his age, he was in the enjoyment of a competency from his occupation as a farmer. But the activity of his mind, and his taste for a military profession, led him to prefer the care and privations of a soldier's life to the quiet and comforts of a landed proprietor at home. His first experience in his new vocation had nearly proved fatal. He was ordered to report himself to General Wilkinson, in New Orleans; and being seized there with the yellow fever, was obliged to return home for the recovery of his health. He appears to have employed his time sedulously in the study of his profession, as we find him, three years from this time, fulfilling with honor a dangerous and important post.

In 1810, Lieutenant Taylor was married to Miss Margaret Smith, a lady of Maryland, of a highly respectable family in that state. She was sister of the late Major R. S. Smith, of the marine corps.

The Indian tribes on the northwestern frontier of the United States having been excited to feelings of hostilities against the Americans, as was supposed and believed through the agency of British emissaries sent among them, and a general league of the tribes being on the point of formation, by the influence of the noted chief Tecumseh and his brother

the Prophet, the American government took early steps to counteract their operations. General Harrison, then governor of the northwestern territory, was ordered to march a competent force into the Indian country.

After the declaration of war, in 1812, Taylor was placed in command of Fort Harrison, a block-house and stockade, which had been erected by order of General Harrison, on the Wabash river, about fifty miles above Vincennes. Congress declared war against Great Britain on the 19th of June, 1812, and at no previous period was the spirit of those Indians who were allies of England, and led on by Tecumseh and the Prophet, so fully aroused to the determination of exterminating the Americans on the northwestern frontier as at this time. Their first object of attack was Fort Harrison, and three months after war with England had been formally declared, they were banded for the purpose of this and other acts of hostility. Captain Taylor had some intimations of their intentions, which were confirmed on the 3d of September, by the report of guns in the vicinity of the fort. On the following day it was discovered that two men had been murdered and scalped by the Indians. Captain Taylor, therefore, made every effort in his power for defence. The whole force under his command was about fifty men, of whom nearly two thirds were invalids, and he himself was just recovering from a fever. The Indians were aware of his weakness, but preferred the exercise of their native cunning to the hazard of an open attack. A deputation of the Prophet's party came to the fort with a white flag, and affecting peaceable intentions. Captain Taylor was not deceived by this stratagem, and he made preparations for an assault from the enemy. At night a watch was set, and the remaining few retired to rest. An hour before midnight the report of a musket was heard, and Taylor, springing from his brief sleep, found his savage foes were making an attack upon the fort. On their approach, the sentinels had retreated within, and it was discovered that the lower building was already fired by the Indians, rendering the situation of the garrison one of extreme peril. The young captain, however, retained his composure, and while he directed a part of his small force to carry buckets of water to extinguish the flames, the other soldiers returned the fire of the Indians by a steady discharge of musketry, the assailants, during seven hours, abating no effort to carry the fort, and being for some time under the cover of a very dark night. In this protracted attack only three of the garrison were killed and three wounded, while the Indians suffered severely from their exposed situation. At six o'clock on the morning of the 5th, dispirited by their loss, they abandoned the attempt to carry the fort, and retired from the spot, after destroying all the provisions of the post, and killing or driving off all the horses and cattle.

The account of this affair by Captain Taylor, in a letter to General Harrison, dated the 10th of September, 1812, is his first official despatch,

and has the unaffected spirit, without the experienced style, of his more mature productions.

The failure of their enterprise against Fort Harrison disheartened the Indians, and they abandoned for a time any further attempts against it; yet the garrison expected another attack, and Captain Taylor sent to General Harrison an account of his situation, and an application for assistance. A large force, under General Hopkins, was immediately sent to the relief of the garrison, then reduced to want by sickness, fatigue, and the loss of provisions.

The conduct of Taylor at Fort Harrison was not overlooked by his superior officers, by the public, or by the government. General Hopkins, in a letter to the governor of Kentucky, said of him: "The firm and almost unparalleled defence of Fort Harrison by Captain Zachary Taylor, has raised for him a fabric of character not to be effaced by eulogy." The president afforded a satisfactory proof of his favorable opinion, by conferring upon Taylor the rank of major by brevet—the oldest instance in the service of this species of promotion.

The Indians, notwithstanding their defeat, continued their depredations upon the inhabitants on the frontier, and to arrest their atrocities General Hopkins planned an expedition against the Indian villages on the Illinois, and commenced his march about the middle of October. But the volunteers under his command evinced insubordination, and the general resolved to abandon the expedition. The villages, however, were attacked by a detachment under Colonel Russell, and destroyed. In the following month, General Hopkins undertook a second expedition, directed against the Prophet's and Winebago town, in which Major Taylor took part, and received the commendations of the general. Several skirmishes occurred, in some of which our troops suffered severely. They succeeded in achieving their main objects, devastating the enemy's country and destroying their settlements. The winter forced both parties into a cessation of active hostilities. From this time to the close of the war with Great Britain, Major Taylor was engaged on the northwest frontier, accomplishing the purposes of the government with unremitting vigilance.

In 1814, Major Taylor commanded an expedition against the British and Indians on Rock river, a branch of the Mississippi. By order of General Howard, Major Taylor left Fort Independence, on the 2d August, at the head of a detachment of about three hundred and fifty men, and proceeded in boats up the Mississippi to Rock river, where they arrived on the 4th of September. The British and Indians being strongly posted near the mouth of the river, and well provided with artillery, commenced firing upon the Americans before they had an opportunity to land, and the boats were exposed to the fire of the artillery and musketry for a considerable time, which was returned by Taylor's troops, from small arms and the cannon on board the boats. The Americans then dropped down the

river about three miles, and landed ; being followed by the enemy, Taylor halted on a small prairie and prepared his troops for action, when the British and Indians hastily retired. The Americans in this affair had eleven men killed and wounded.

Taylor then called a council of his officers, and as the enemy was at least three to one in number to the Americans, it was decided that it would be madness to attack them in their position, without a prospect of success. Major Taylor therefore determined to drop down the river to the Des Moines rapids, and execute one of the principal objects of the expedition, namely, to erect a fort to command the river ; which was done, and the same was called Fort Madison. The details of this expedition, Major Taylor communicated to General Howard, in an official despatch, dated September 6, 1814.

On the restoration of peace with Great Britain, in 1815, Congress adopted the policy of reducing the army and of annulling promotions made during the war. Among other officers who suffered from this policy was Major Taylor, who was reduced to the rank of captain ; in consequence of which he resigned his commission, and left the service, returning to his family, from whom he had so long been separated, and resuming his agricultural pursuits.

In consequence of the influence of his friends, who were not content to see him retire from the army, for such a cause, he was reinstated by President Madison, in the course of the year, and consented again to leave his home and its attractions for the monotonous service of the army in time of peace. In 1816, Major Taylor was ordered to Green Bay, on Lake Michigan, and remained in command of that post for two years. Returning to Kentucky, he passed a year with his family, and was then ordered to join Colonel Russell at New Orleans. Except during a temporary absence, when recalled by the illness of his wife, he continued in the south for several years, generally engaged in some active duty. One of his labors was the opening of a military road, and another, the erection of Fort Jesup—the latter in 1822. On the 20th of April, 1819, Taylor received the commission of a lieutenant-colonel. In 1824, he was engaged at Louisville in the recruiting service, and in the latter part of that year he was ordered to the city of Washington.

In 1826, he was member of a board of officers of the army and militia (of which General Scott was president), convened by Mr. Barbour, then secretary of war, to consider and propose a system for the organization and improvement of the militia of the United States. In this board, Taylor's opinions were in favor of maintaining the militia strictly as citizen-soldiery, instead of giving them the character of a regular army, as proposed by some. The report drawn by General Scott, and adopted on motion of Colonel Taylor, was approved in Congress, but was not carried into effect.

Resuming his duties on the northwestern frontier, Taylor continued for

five years in that position, where he seems to have been unconsciously preparing himself in his profession for the splendid achievements of his latter years. A writer in the "Literary World" thus mentions him: "As plain Lieutenant-Colonel Taylor, I have often seen him putting his men through the battalion drill, on the northern banks of the Wisconsin, in the depth of February. This would seem only characteristic of the man who has since proved himself equally 'Rough and Ready' under the scorching sun of the tropics. But, looking back through long years to many a pleasant hour spent in the well-selected library of the post which Colonel Taylor then commanded, we recur now with singular interest to the agreeable conversations held in the room which was the colonel's favorite resort, amid the intervals of duty." And the same chronicler of his severe habits of discipline and study continues: "Nor will the reader think these personal reminiscences impertinent, when we add that our object in recurring to them here is simply to mention that, remembering alike the wintry drill and the snug book-room, Taylor's hardihood — the idea of which now so readily attaches to his soubriquet of 'Rough and Ready' — would certainly not then have struck a stranger as more characteristic than his liberal-minded intelligence."

In 1832, Taylor was promoted by President Jackson to the rank of colonel. During the previous year, the difficulties between the white settlers near Rock river, Illinois, and the Sac Indians under the celebrated chief Black Hawk, had been fomented, by bad and interested white men, to a point of open hostilities. Black Hawk and his brother the Prophet, at the head of a large party of Indians, having defeated an American volunteer force near Rock river, on the 14th of May, 1832, the people of Illinois became greatly alarmed, and the secretary of war ordered about a thousand regular troops, under the command of General Scott, to the scene of action, and active hostilities ensued, and continued for three months. In July, General Scott was reinforced by 2,500 men, under General Atkinson, including 400 regulars under Colonel Taylor. Toward the close of the month the Indians retreated into the wilderness, and General Atkinson, with a detachment of 1,300 men, including the regulars under Colonel Taylor, pursued them. By great perseverance, during a forced march, the Americans succeeded in overtaking the Indians near the junction of the Mississippi and Iowa rivers, where a desperate conflict ensued, which resulted in a total route of the Indians, many falling by our arms, others perishing in the river, and the rest dispersing or submitting themselves prisoners. The chief, Black Hawk, who then escaped, was in the course of the month surrendered by some of his faithless allies, and with his capture ended the war. The chief and his fellow-prisoners were confided to the charge of Colonel Taylor, who conveyed them to the Jefferson barracks, where they arrived about the middle of September.

After the Black Hawk war, Colonel Taylor was for a short time at

Louisville, with his family, and was thence ordered to Prairie du Chien, to the command of Fort Crawford, a work which had been erected under his superintendence. Here he remained until 1836, when his services were required in Florida, to assist in reducing the Seminole Indians to submission. To that field he immediately repaired, although he might with propriety have asked of the government a season of repose, having very rarely enjoyed the ease and tranquillity of home during a period of more than twenty-five years.

The Seminole Indians, the remnants of the aborigines of Florida, were required by the government of the United States to emigrate from that territory to lands appropriated for their occupation on the west of the Mississippi river. A treaty with the Seminole chiefs for the removal of their tribe was concluded at Payne's landing, in Florida, in May, 1832, by which treaty they were allowed three years to depart. The government was first advised in 1834 of their disinclination to leave their homes and those of their fathers. But as late as the spring of 1835, there was among the whites in Florida a confidence in the calm disposition of the Seminoles, and their willingness to submit to the destiny of their race. A daring chief, however, arose among this tribe, bearing the name of Osceola, destined to hold a place in history with other distinguished leaders of the aborigines who have resisted the progress of the Anglo-Saxons on this continent. By inheritance Osceola enjoyed no title or distinction among the Seminoles. He derived his origin from the Creeks, and had affected, until over thirty years of age, pacific feelings toward the whites. At length, throwing off disguise, he declared openly against the United States, supplanting himself the legitimate chiefs of the Seminoles; and he even put to death those who were for peaceful measures. He acquired perfect ascendancy over his Indian brethren, and his signal war-cry met with a response from the remnants of the tribes who were still inhabitants of Florida. Murders were committed on the frontiers, and at one time even St. Augustine was threatened by the hostile Indians.

The United States troops at this time in Florida numbered about 500 men, stationed at several posts, General Clinch being in command. On the 23d of December, 1835, two companies under Major Dade, while marching to join the general, were surprised by a large body of Indians, and, after a protracted resistance, were all massacred, except three men, who, exhausted with wounds, escaped to tell the fate of their comrades. Open war now commenced. Many Creeks joined the Seminoles, and the United States government found it necessary to send in succession its most able officers and best troops into the field. On the part of the Indians, occasional success added vigor to their bold and cruel enterprises.

When Colonel Taylor reached Florida, the war with the Seminoles, begun in 1835, had been prosecuted with indifferent success. General Jesup then had command of the army in this territory, and had made

fruitless attempts to bring the war to a close. All friendly conferences with the chiefs, aided by a delegation of Cherokees as mediators, having failed, it was determined, in the autumn of 1837, to take more active measures against the Indians. Colonel Taylor received orders to seek out any portion of the enemy wherever to be found, and to destroy or capture the hostile forces. Accordingly, in pursuance of instructions from General Jesup, Colonel Taylor, with about 1,100 men, left Fort Gardner on the 20th of December, 1837, and through dense thickets of cypress, palmetto, and other underwood, the troops made their way to the everglades, where the Indians were concealed.

After a march of five days, the troops, on the 25th of December, reached a cypress swamp where they had evidence that a large body of the enemy were near. Taylor disposed his army in order of battle, and crossing the swamp, reached a large prairie, on the farther side of which was an extensive hammock, in which the Indians were posted. The American troops had penetrated but a short distance, when they were suddenly attacked by several hundred warriors, with their rifles. The shock for a time was fearlessly sustained, although several officers and men fell at the first fire. Seeing their leaders fall, some of the volunteers gave way, but soon after rallied, and the regular troops eagerly pressed on through the morass. Thrice the enemy wavered and gave ground, and thrice returned to the most desperate conflict ever maintained by their arms. The battle lasted for more than two hours, when the savages were driven from the field to their camp on the borders of Lake Okeechobee, being closely pursued by the regulars and volunteers until night closed in.

This battle of Okeechobee is one of the most memorable in our annals of Indian wars, as one of the most remarkable for bravery and skill on both sides. The American loss was very severe, 26 being killed, and 112 wounded, among whom were some of the most valuable officers in the service, including Lieutenant-Colonel Thompson, Colonel Gentry, Adjutant Center, Captain Van Swaringen, and others, among the slain. The loss of the Indians could not be ascertained, but in the opinion of Colonel Taylor it was about equal to that of our troops.

The immediate consequence of the battle of Okeechobee was the surrender of a number of Seminoles to the forces under the command of Colonel Taylor. The decisive action and dearly-bought victory of the Americans gave a death-blow to the power and daring defiance of the hostile tribe. Although outrages were frequently committed by small parties of savages, for a year or two afterward, the Seminoles were never again completely organized, as a tribe or nation, in opposition to the whites.

If the triumph of Taylor failed to reduce the whole body of Indians immediately to terms of peace, it still demanded and received the grateful recognition of the nation and the government. The sentiments of the latter were expressed in a general order from the war department, through

Major-General Macomb, commander-in-chief of the army, dated February 20, 1838, tendering the thanks of the president of the United States to Colonel Taylor, and the officers and troops under his command, for their gallant conduct in the battle with the Seminole Indians on the 25th of December.

This official acknowledgment was soon after followed by Taylor's promotion to the rank of brigadier-general by brevet, "for distinguished services in the battle of Kissimmee (Okeechobee), in Florida."

In April, 1838, the command of the troops in Florida was assigned to General Taylor; relieving General Jesup, at the request of the latter. In this responsible position Taylor's energies were devoted to the protection of the inhabitants from the attacks of the Indians, and the reduction of the latter to the authority of the United States. The perfect accomplishment of these objects was impracticable with the means and forces placed at the disposal of the commander. From time to time skirmishes with the Indians took place, and small parties of them were occasionally captured, or voluntarily surrendered. But they never could be brought to a general action, and continued, at intervals, their outrages upon the white inhabitants.

The United States government, toward the close of the year 1839, abandoned the policy which it had pursued in Florida, and determined to leave the Indians in their strongholds, and to confine the operations of the troops to the protection of the border settlements. In the general orders of the war department in November, 1839, the conduct of the commander was thus approved:—

"General Taylor, by the zealous and intelligent discharge of his duties, having given satisfaction to the department, will continue in command."

General Taylor's skill and energies were faithfully exerted to fulfil the designs of the government, but the force at his disposal was never adequate. Having labored four years in this thankless field, he was anxious to retire from it; and, at his own request, was relieved from the command, and was succeeded by General Armistead, in April, 1840.

The distinguished talents which General Taylor had displayed throughout his career in the army, were too well known and appreciated by the government to allow him to remain idle, or to be stationed at a post of inactivity. He was, therefore, immediately after leaving Florida, appointed to the command of the first department of the army in the southwest. This department included the states of Alabama, Mississippi, Arkansas, and Louisiana, his headquarters being at Fort Jesup, in the latter state. In the summer of 1841, he was ordered to relieve General Arbuckle, at Fort Gibson, where he remained nearly five years, constantly engaged in disciplining his troops, and in other services pertaining to his command.

Having purchased an estate in Louisiana, General Taylor removed his family from Kentucky to Baton Rouge, on the banks of the Mississippi

where they continued to reside for some years. His constant occupation in the army gave him but few opportunities of enjoying the comforts of domestic retirement.

Soon after the annexation of Texas to the United States, General Taylor, who was then situated at Fort Jesup, Louisiana, received a confidential letter from the secretary of war, Mr. Marcy, dated May 28, 1845, instructing him to place his troops at such a position as would enable him to defend the territory of Texas in case of invasion from Mexico. The Congress of the United States, on the 1st of March, 1845, had passed a joint resolution giving its consent that the territory belonging to the republic of Texas might be erected into a new state, called the state of Texas; subject, however, to the adjustment by this government of "all questions of boundary that might arise with other governments."

The instructions of the war department to General Taylor, above referred to, implied clearly an apprehension that the consequence of the annexation of Texas might be a collision with Mexico. The secretary stated, that as soon as the Congress of Texas should assent to the act, and a convention should assemble and accept the terms offered in the joint annexation resolutions of the Congress of the United States, Texas would be regarded "as part of the United States, so far as to be entitled from this government to a defence from foreign invasion and Indian incursions." General Taylor was accordingly directed to keep his command in readiness for this duty. The anticipation of difficulty with Mexico was further indicated by instructions to General Taylor to open a correspondence with the authorities of Texas, or any diplomatic agent of the United States residing therein, with a view to information and advice in respect to the common Indian enemy, as well as to any foreign power; and also to employ his forces in defence of the Texan territory, if invaded by a foreign power, and to expel the invaders.

General Taylor was thus apprized of the service which might be expected of him. In July, 1845, he was informed by the war department, that the acceptance by Texas of the terms of annexation would probably be formally made by the Congress of that republic on the 4th of that month, and, in anticipation of that event, he was instructed to make an immediate forward movement with the troops under his command, and advance to the mouth of the Sabine, or to such other point on the gulf of Mexico, or its navigable waters, as might be most convenient for an embarkation at the proper time, for the western frontier of Texas.

The most expeditious route was recommended. The forces named for this duty were the 3d and 4th regiments of infantry, and seven companies of the 2d regiment of dragoons. The artillery was ordered from New Orleans.

In reply to inquiries by General Taylor of the war department, respecting the position he should take, he was directed, generally, to be governed

by circumstances, to avoid all aggressive measures, and to hold his force ready to protect the territory of Texas "to the extent that it had been occupied by the people of Texas." The Rio Grande was indicated, by the secretary, as the boundary between Mexico and Texas, to which the army of occupation under Taylor was to approach, as nearly as prudence would permit. For this purpose it was necessary to pass the river Nueces.

On the 28th of June, Mr. Donelson, then United States minister to Texas, to whom General Taylor was referred for advice upon his movements, wrote him that he had best move his forces, "without delay, to the western frontier of Texas," and also informing him that Corpus Christi, on Aransas bay (near the mouth of the Nueces), was the best point for the assembling of his troops. The same letter also admitted that the country between the Nueces and the Rio Grande was in dispute; the Texans holding Corpus Christi, and the Mexicans Santiago, at the mouth of the Rio Grande.

General Taylor embarked at New Orleans in July, 1845, and proceeded immediately with the forces under his command, 1,500 in number, to Aransas bay, and in the beginning of August, 1845, had taken the position assigned him by the government. All the troops in the west, the northwest, and on the Atlantic, which could be spared, were ordered to join him. In November, 1845, by the report of the adjutant-general, his army consisted, in the aggregate, of 4,049 officers and men.

To the terms of the joint resolution of annexation, by the Congress of the United States, Texas assented by her ordinance of July, 1845, and, having formed her constitution, became virtually a state in the American Union. Three days after this (July 7th) the same convention requested the president of the United States to occupy the ports of Texas, and send an army to their defence. This desire the president of the United States immediately complied with (or in fact had already, as has been seen, anticipated).*

At the same time that instructions were sent to General Taylor by the war department, a naval force was despatched to the gulf of Mexico to aid him in any hostile operations which might occur.

General Taylor established his headquarters at Corpus Christi, where the army of occupation under his command remained encamped over six months. On the 8th of March, 1846, agreeably to instructions from the president of the United States to General Taylor, the advance of the army commenced its march for the Rio Grande, and the fourth day thereafter the entire forces were moving in a southerly direction over the disputed territory—the wilderness lying between the Nueces and that river. At the Arroya Colorado the troops encountered a body of Mexicans, who seemed disposed to dispute their passage. This, however, was not attempted, and the Americans continued their march. While approaching

* Mansfield's History of the Mexican War.

Point Isabel, General Taylor was met by a deputation of citizens from Matamoras, on the Rio Grande, who handed him a protest, signed by the prefect of the district, against the occupation of the country by the American army. At this moment it was discovered that the buildings at Point Isabel were in flames, and believing that the place had been set on fire by the Mexican authorities, and considering the conflagration as a decided evidence of hostility, General Taylor dismissed the deputation, with the promise of an answer when he should arrive on the banks of the Rio Grande. Point Isabel, a small place with a few mean houses, had been selected as a depot for military stores for the American army, being the nearest port to Matamoras on the north. To preserve its buildings was therefore an object of moment, and the advance of the cavalry arrived in season to arrest the progress of the fire, after it had consumed but three or four houses. The Mexican port-captain who committed the act had made his escape.

The arrangements at this post being satisfactorily made, the general, with the cavalry, resumed the march toward Matamoras, and was joined by General Worth's command, which had encamped on the road. On the 28th of March, the army arrived on the banks of the Rio Grande, opposite Matamoras. Fortifications were immediately commenced, and soon a fort was erected, furnished with six bastions, and capable of containing two thousand men. It commanded the town of Matamoras, and was afterward called Fort Brown. On the other side the Mexicans also erected batteries and redoubts, both parties assuming the attitude of belligerents. An interview was held by direction of General Taylor, with the military authorities in Matamoras, but with no satisfactory result.

On the 10th of April the first American blood was shed by Mexican hands. Colonel Cross, deputy quartermaster-general, having rode out in the morning, for exercise, unattended, was killed as was supposed by some rancheros attached to the Mexican army; and his body was found on the 20th, when it was honored, by order of General Taylor, by a military funeral becoming the rank and character of the colonel.

A Mexican army having been concentrated on the Rio Grande, General Ampudia was placed in command, and arrived in Matamoras on the 11th of April. He had previously attempted to cause desertion among the soldiers of foreign birth in the American army, by issuing a circular addressed to them, in consequence of which some desertions, but unimportant as to numbers, took place. On the 12th of April, General Ampudia addressed a letter to General Taylor, concluding as follows:—

“By explicit and definite orders of my government, which neither can, will, nor should, receive new outrages, I require you in all form, and at latest in the peremptory term of twenty-four hours, to break up your camp, and retire to the other bank of the Nueces river, while our governments are regulating the pending question in relation to Texas. If you insist

on remaining upon the soil of the department of Tamaulipas, it will clearly result that arms, and arms alone, must decide the question; and in that case I advise you that we accept the war to which, with so much injustice on your part, you provoke us; and that, on our part, this war shall be conducted conformably to the principles established by the most civilized nations; that is to say, that the law of nations and of war shall be the guide of my operations; trusting that on your part the same will be observed."

In his reply to this letter from General Ampudia, General Taylor informed the Mexican commander that, charged as he was in only a military capacity with the performance of specific duties, he could not enter into a discussion of the international question involved in the advance of the American arms, but reminded him that the government of the United States had constantly sought a settlement by negotiation of the question of boundary. He concludes his letter as follows:—

"The instructions under which I am acting will not permit me to retrograde from the position I now occupy. In view of the relations between our respective governments, and the individual suffering which may result, I regret the alternative which you offer; but, at the same time, wish it understood, that I shall by no means avoid such alternative, leaving the responsibility with those who rashly commence hostilities. In conclusion, you will permit me to give the assurance that, on my part, the laws and customs of war among civilized nations, shall be carefully observed."

To confirm these declarations, General Taylor continued to fortify his camp, and to make every disposition to resist an attack. General Ampudia soon gave place, as commanding officer at Matamoras, to General Arista, commander-in-chief of the northern division of the Mexican army. The reported accession to its force also created new expectations in the American camp that a decisive demonstration would soon be made against it. On the 19th of April, it was reported to General Taylor that two vessels with supplies for the Mexicans in Matamoras, were at the mouth of the Rio Grande. He immediately ordered a blockade of the river and enforced it by placing the United States brig Lawrence and a revenue-cutter to guard its mouth. To this act the Mexican general took umbrage, and having sent a note of remonstrance to General Taylor, and the answer of the American commander being unsatisfactory, the Mexicans prepared to make an attack upon Fort Brown.

In the meantime it was evident that Point Isabel was marked out by the Mexican commander as a place of contemplated attack, and it was rumored that a large Mexican force was crossing the Rio Grande for that purpose. To ascertain the truth of these reports, General Taylor sent out a scouting party under Captain Thornton, up the river, and a squadron of dragoons under Captain Ker, down the river. The former were sur-

prised by a party of Mexicans, sixteen were killed and wounded, and the remainder nearly all were taken prisoners. Lieutenant Mason was killed in the affray. Captain Thornton, at first escaping by an extraordinary leap of his horse over a hedge, was afterward captured and taken to Matamoras, where he remained for some time, but was finally given up. Captain Ker, with his detachment, after reconnoitring the country, returned, without having fallen in with the Mexicans. Three days after this affair, several of Captain Walker's Texan rangers were killed and wounded.

General Taylor, having received by the hands of Captain Walker of the Texan rangers information from Major Munroe, the commander at Point Isabel, of the attack of a party of Mexicans upon a wagon train, and from other causes being anxious for the safety of Point Isabel, where all the supplies for his army were deposited, resolved to march with his forces to the relief of that post. He left at Fort Brown a sufficient force of infantry and artillery to sustain a bombardment. He had previously sent a despatch to the governors of Louisiana and Texas, asking an immediate reinforcement of four regiments of militia from each state.

The plan of Arista, the Mexican general, it was believed, was to cross the Rio Grande, get in the rear of General Taylor's army, capture Point Isabel, and then fall on the American army. This plan was only prevented from being carried out by accidental information, brought to General Taylor by one of Thornton's party, sent in by the Mexican commander. The rapid return of the army under General Taylor to Point Isabel, was a consequence of this information, and the additional fact that the enemy was preparing to cross the river below. Either the Mexican army was dilatory in its movement, or the body detailed to cross below was unable to form a junction, for the forces of General Taylor, commencing their march from Fort Brown on the first of May, reached the depot at Point Isabel the following day, without encountering the enemy.

The Mexican general supposed that the movement of the Americans was a retreat, and at once ordered a large body of his troops across the Rio Grande. On the 3d of May, a heavy bombardment was commenced from the batteries in Matamoras on Fort Brown, where a garrison was left by General Taylor. During the night of the 4th, the Mexicans also erected a battery in the rear of Fort Brown, and the next morning opened a fire upon the fort simultaneously with the batteries on the opposite bank of the river. The bombardment was continued at intervals until the 10th, when the gallant defenders of the fort were relieved by the return of the main army under General Taylor, which had just fought the battles of Palo Alto and Resaca de la Palma. In the defence of the fort, Major Brown, Captain Hawkins, and Captain Mansfield, were greatly distinguished for skill and gallantry. The former was killed by a shell, and was succeeded in command by Captain Hawkins.

General Taylor, having garrisoned the depot at Point Isabel with new troops, commenced his return to Fort Brown on the 7th of May, at the head of two thousand, three hundred men, and a supply-train of three hundred wagons. The army encamped at night about seven miles from Point Isabel, and resumed their march on the following morning, the 8th of May. At noon, the Mexican forces were observed, drawn up in battle array, upon a prairie three miles from Palo Alto. General Taylor immediately prepared for action, and at two o'clock in the afternoon, gave orders to advance. The Mexican cannon opened upon them, when the American troops were deployed into line, and the light artillery under the command of Major Ringgold poured forth its rapid and deadly fire upon the enemy. The Mexican cavalry, mostly lancers, were on their left, and were forced back by the destructive discharges of artillery. On the left wing of the American army, attacks of the Mexicans were met by Duncan's battery, and by other troops of that division. The combat on the American side was chiefly carried on by artillery; and never was there a more complete demonstration of the superior skill and energy of that arm of service, as conducted by the accomplished graduates of West Point. He who was the life and leader of the light artillery — Major Ringgold — was in this engagement mortally wounded, and died in a few days.*

The battle, which lasted about five hours, terminated with the possession by the Americans of the field, and the retreat during the night of the Mexicans. The strength of the Mexicans was estimated by General Taylor at about six thousand men, with seven pieces of artillery and eight hundred cavalry. Their loss was at least two hundred killed and four hundred wounded; that of the Americans was nine killed and forty-four wounded.

General Taylor with his troops encamped on the field of battle, and resumed his march at two, P. M., the following day. In two hours the army came in sight of the Mexicans, who had taken a position on a ravine called Resaca de la Palma. They had formed a battery so as to sweep the road, and were otherwise strongly posted. The action commenced by the fire of the Mexican artillery, which the Americans returned by discharges from Ridgely's battery, and by the infantry on the wings. In this firing the Mexican cannon were well managed by Generals La Vega and Reguena, and the effect was severely felt in the American lines. It was necessary to dislodge them, and this duty was assigned by General Taylor to Captain May of the dragoons. It was here that this officer became so distinguished by his gallant charge upon the enemy's batteries. The artillerymen were dispersed and General La Vega taken prisoner. The regiments of infantry now charged the Mexican line and the battle was soon ended. Their columns were broken by successive charges and

* Mansfield's History of the War.

unable to bear the continued fire poured upon them by the American infantry and artillery. The Mexicans fled from the field, rapidly pursued by the Americans, and ceased not their flight till those who were not taken prisoners had either crossed the Rio Grande or were drowned in its waters. The enemy's loss in this engagement was very great; nearly two hundred of their dead were buried by the Americans the day after the battle. Their loss in killed, wounded, and missing, in the two affairs of the 8th and 9th, was estimated by General Taylor at one thousand men. The loss of the Americans was thirty-nine killed and eighty-three wounded, in the last battle. The actual number of American troops engaged with the enemy, on the 9th, did not exceed seventeen hundred, while that of the Mexican army, which had been reinforced after the action of the 8th, was estimated at six thousand.

In a detailed report of these battles, General Taylor remarked: "Our victory has been decisive. A small force has overcome immense odds of the best troops that Mexico can furnish — veteran regiments, perfectly equipped and appointed. Eight pieces of artillery, several colors and standards, a great number of prisoners, including fourteen officers, and a large amount of baggage and public property, have fallen into our hands. The causes of victory are doubtless to be found in the superior quality of our officers and men."

In these engagements, General Taylor displayed the utmost coolness and bravery — exposing himself in the most dangerous positions, and encouraging the troops by his heroic example. After the battles, his attention to the wounded and the dying, whether friend or foe, evinced that sympathy with suffering humanity which is ever inseparable from true courage.*

The intelligence of hostilities on the Rio Grande, occasioned a powerful excitement in the United States. Congress was then in session, and the president, on the receipt of the news of the capture of Captain Thornton's party, immediately sent in his special message of May 11, 1846, in which he declared that the Mexican government, had "at last invaded our territory, and shed the blood of our fellow-citizens on our own soil." Congress with less than two days' deliberation, on the 13th of May, declared that "by the act of the republic of Mexico, war exists between that government and the United States;" and at the same time passed a law authorizing the president to accept the services of fifty thousand volunteers, and appropriating ten millions of dollars toward carrying on the war. The intention was to put an end to the war by a vigorous effort, and decisive victories.

Four days before this declaration by Congress, as we have seen, the decisive battle of Resaca de la Palma had been fought, and the army of Arista pursued beyond the Rio Grande. The Mexican general saved

* Mansfield.

himself by flight, and quite unattended, he made his way across the river. General La Vega and a few other officers were sent on parole to New Orleans.

On the 11th of May, General Taylor leaving Colonel Twiggs in command of his army, repaired to Point Isabel, for the purpose of arranging with Commodore Connor of the gulf squadron, a combined attack on Matamoras. At Point Isabel a command of regulars and volunteers just arrived from Louisiana and Alabama, was organized under Colonel Wilson; and on the 15th, marched for Brazos, and with the aid of the squadron, crossed the river at its mouth, and marched upon the town, which the colonel occupied on the 17th of May; being the first landing of an American force on the right bank of the Rio Grande. The day before this expedition left Point Isabel, General Taylor also set out on his return to the camp on the river, where he speedily arrived, and at once commenced preparations for an attack on Matamoras. On the 17th of May, Arista sent a deputation to Taylor to ask for an armistice, until the two governments should settle the difficulties pending. This was refused by the American general, as it was apparent that time was only wanted to remove the munitions of war from Matamoras. But during the conference, Arista succeeded in taking away part of the military stores, and with the fragment of his army he abandoned Matamoras, and fled precipitately toward Monterey.

On the 18th of May, General Taylor with his army, crossed the Rio Grande, and entered Matamoras without opposition. Formal possession was taken of the city, and Colonel Twiggs appointed military governor. The day following, Lieutenant-Colonel Garland, with the cavalry of the army, was sent in pursuit of the Mexicans under Arista, but being ignorant of the country, which they found so barren as to afford insufficient support to the horses, the American troops were forced to return, after pursuing the flying enemy about sixty miles.

From May until September, General Taylor remained in camp with his army at Matamoras, awaiting the orders of his government, receiving reinforcements, and making preparations for marching into the interior. His operations were paralyzed during the summer, by the want of suitable boats to navigate the Rio Grande. In the meantime, the executive and Congress had highly approved of his course, and on the 30th of May, the president transmitted to him a commission as major-general by brevet, bearing the date of the battle of the 9th of May. On the 29th of June, he was promoted to the full rank of major-general.

On the day that General Taylor entered Matamoras, a United States squadron arrived off Vera Cruz, and commenced the blockade of that and other ports on the gulf of Mexico; and during the summer the towns of Mier, Camargo, Revilla, and Reynosa, submitted to the Americans, and became stations for different divisions of the army. Camargo, a town about one hundred and eighty miles above the mouth of the Rio Grande

was the point selected as the depot of supplies. Here the various divisions which were to compose the particular army of General Taylor were gradually concentrated.

The reinforcements and supplies for the American army in Mexico which had been forwarded during the summer were at length sufficient to justify an advance into the interior. The Rio Grande was assumed as the military base line of operations. The entire army of General Taylor consisted of about nine thousand men. A small portion was assigned to garrisons, while the main body, numbering six thousand, six hundred, was destined for Monterey, the capital city of New Leon, and of the northern division of Mexico. The city contained about fifteen thousand inhabitants and is situated on a branch of the San Juan river, near the base of the Sierra Madre mountains. Both the natural and artificial defences of Monterey were very strong; but neither the extent of the defences, nor the number of the garrisons within them, seem to have been fully known to the American army previous to its arrival in front of the city.

The army under Taylor was in three divisions commanded respectively by Brigadier-Generals Twiggs (who had been promoted to that station) and Worth, and Major-General Butler. On the 20th of August, General Worth began his march for Monterey; and on the 5th of September, General Taylor left Camargo; a garrison of two thousand men remaining behind. Worth reached Cerralvo, about seventy miles, on the 25th of August, and at that point sent out reconnoitring parties who discovered strong bodies of the enemy in front. He advanced to the village of Marín, where the entire army was in a few days concentrated, under the command of General Taylor. On the 19th of September, the army arrived at Walnut Springs, three miles from Monterey, after a few skirmishes only with parties of Mexican cavalry.

Monterey was then under the command of General Ampudia, and the garrison under his command consisted of about seven thousand regular troops, and two or three thousand irregular troops. Notwithstanding this strong garrison, superior in numbers to the American army, General Taylor thought it possible to carry the place by storm, with the bayonet and artillery. Reconnoissances of the works were made on the evening of the 19th.*

Besides the numerous and well-constructed fortresses mounted with heavy cannon, which had been erected for the defence of Monterey; the plan of the city itself is well adapted to defensive warfare. The streets being straight, a few pieces of artillery can command their entire length. The stone walls of the houses rise above the roofs, thus forming regular parapets which afford thorough protection to the defenders. Each dwelling is thus a separate castle, and the whole city one grand fortification suggested by nature and consummated by art.

* Mansfield.

On the night of the 20th of September, General Worth's advanced columns marched and occupied for the night a defensive position on the Saltillo road, just without the range of the enemy's batteries. The attack commenced on the 21st, by General Worth's forces, and continued, in connexion with other divisions of the army, all the next day. On the 23d, the assault became general, and a desperate conflict ensued in the streets of the city. From the strong stone houses, volleys of musketry dealt death in all directions among the American troops, but they steadily advanced from house to house, and from square to square, until the main body of the enemy had retired from the lower part of the city, to make a stand behind their barricades.

General Taylor then withdrew his troops to the works which had been evacuated by the Mexicans, and determined to concert with General Worth a combined attack upon the town the following day. But early in the morning of the 24th, General Ampudia sent a communication to the American commander, proposing to evacuate the town. General Taylor acceded to a personal interview with General Ampudia, as the latter had desired, and it was finally agreed that the city should be surrendered to General Taylor, and the material of war, with certain exceptions, and the Mexican troops were allowed to evacuate the following day. As soon as they had left, the division under General Worth was quartered in the city, and quiet reigned among the inhabitants. The American troops during the various contests at Monterey, had twelve officers and one hundred and eight men killed; thirty-one officers, and three hundred and thirty-seven wounded. The Mexican loss was not known, but believed considerably to exceed these numbers. The force under General Taylor at this siege was four hundred and twenty-five officers, and six thousand, two hundred and twenty men, accompanied with nineteen cannon. The town and works were armed with forty-two pieces of cannon well supplied with ammunition, and manned, as before stated, with a force of nearly ten thousand men.

In the transactions attending the capture of the city, General Taylor had hoped to secure the approbation of government. In this, however, he was disappointed. Not only were the terms of capitulation considered as entirely too lenient, but he was even blamed for not having carried the defences by assault, and thus making the garrison unconditional prisoners. Time, however, has shown, that by such a course, his little army would have endured appalling loss, without corresponding advantages; and that General Taylor's course, dictated as it was by humanity and honor, was the most advantageous to his troops and to the country that he could possibly have adopted.

General Taylor now established his headquarters at Monterey, despatching General Worth, on the 12th of November, with twelve hundred men and eight pieces of artillery, to Saltillo; and General Wool, who was on his march from Texas, toward Chihuahua, was directed by Taylor, in

November, to abandon the expedition, and advance with his column of two thousand and four hundred men to Parras, a place south of Saltillo. Here the army of General Wool remained for a short time until, in the month of December, it joined the division of Worth at Saltillo.

On the 13th of November, General Taylor followed General Worth's division to Saltillo, escorted by two squadrons of dragoons. This town is the capital of the state of Coahuila, and is distant sixty-five miles southwest from Monterey. It was considered by Taylor as an important point for occupation, for three reasons : first, as a necessary outpost of the main force at Monterey, covering as it does the defile which leads from the low country to the table land, and also the route to Monclova ; secondly, as controlling a region from which to obtain supplies of provisions, viz., the fertile country around Parras ; thirdly, as the capital of Coahuila, which renders it important in a political point of view.

General Taylor represented to the war department the difficulties to be encountered in a forward movement upon the city of San Luis Potosi, and with regard to a proposed expedition against Vera Cruz, he gave it as his opinion that twenty-five thousand troops would be properly required to take possession of Vera Cruz, and march thence against the city of Mexico. He proposed to proceed with the preparation for a movement on Tampico, if approved by the department, but his designs were not carried into effect. A movement against San Luis, he remarked, should not be undertaken except with a force so large as to render success certain. That force he considered should be at least 20,000 strong, as he supposed the Mexicans able to concentrate a force of 40,000 to 50,000 men at San Luis, which is a city of about 60,000 inhabitants, distant three hundred miles from Saltillo, nearly six hundred miles from the Rio Grande, and five hundred from the city of Mexico.

Having made arrangements for the occupation of the state of Coahuila, and left with General Worth at Saltillo a squadron of dragoons, General Taylor returned to Monterey, where, on the 25th of November, he learned officially of the occupation of Tampico by the naval forces under Commodore Perry. On the requisition of the commodore, with the approval of General Taylor, a regiment and six companies from Taylor's army were ordered to Tampico to garrison that town.

On the 15th of December, General Taylor left Monterey for Victoria, the capital of Tamaulipas, which place he designed to occupy, and concentrate there a portion of his army. On his way thither he received information from General Worth at Saltillo, that Santa Anna, then in command of the Mexican army at San Luis, designed taking advantage of the diversion of force toward Victoria, by a rapid movement, strike a heavy blow at the American troops at Saltillo, and, if successful, another at General Wool's force at Parras. General Taylor, therefore, thought proper to return to Monterey with the regular forces, and thus be in a posi-

tion to reinforce Saltillo, if necessary. The volunteers under General Quitman were ordered to continue their march and effect a junction with General Patterson, at Victoria. At the same time, Generals Butler and Wool moved rapidly from Monterey and Parras to join General Worth, who had advised them of a probable attack on his position. General Taylor had proceeded beyond Monterey, on his way to Saltillo, when, on the 20th of December, he received information that the expected concentration and movement of the Mexican troops upon Saltillo had not taken place. Deeming the force present and sent forward to that place sufficient to repel any demonstration from San Luis Potosi, General Taylor again marched with General Twiggs's division toward Victoria.

On the 29th of December, General Quitman entered Victoria without opposition. The enemy had a body of 1,500 cavalry in the town, which fell back as the Americans approached. General Taylor arrived there with the troops of General Twiggs on the 4th of January, and was joined on the same day by the force which General Patterson conducted from Matamoras. The force collected at Victoria was over 5,000 strong.

While General Taylor was thus maturing his operations, the American government had determined to concentrate the largest possible number of regulars and experienced volunteers in the attack upon Vera Cruz, and the march thence to the city of Mexico. General Scott was charged with the command of the expedition, and immediately took measures to secure its success. On the 25th of November, General Scott wrote General Taylor from New York, informing him that he expected to be on the Rio Grande about the 20th of December, on his way to carry out the object of an expedition, the particulars of which, as despatches had been lost, he did not deem it prudent to communicate. "I shall be obliged," he says, "to take from you most of the gallant officers and men (regulars and volunteers) whom you have so long and so nobly commanded. I am afraid that I shall, by imperious necessity—the approach of yellow fever on the gulf coast—reduce you, for a time, to stand on the defensive. This will be infinitely painful to you, and for that reason distressing to me. But I rely upon your patriotism to submit to the temporary sacrifice with cheerfulness."

In consequence of the plan thus declared, the regular troops (with the exception of a very small body of the troops which composed his army in the month of November), the division of General Worth at Saltillo, of General Patterson at Victoria, the brigades of Generals Quitman and Twiggs at the same place, and all other corps which could possibly be drawn from the field of operations, of which the Rio Grande was the base, were ordered to Vera Cruz. To maintain his position at Saltillo, General Taylor was left with about five thousand men, only five hundred being regulars. On parting with the troops who had so faithfully served with him, he issued an order expressing his deep sensibility and attachment

toward them, and his deep regret that he could not participate with those who were making their first campaign in its eventful scenes. To all, both officers and men, he extended "his heartfelt wishes for their continued success and happiness, confident that their achievements on another theatre would redound to the credit of their country and its arms."

In January, 1847, General Taylor left Victoria, and established his headquarters at Monterey, where, early in February, his force, including recent reinforcements of volunteers, amounted to between 6,000 and 7,000 men. Soon after reaching Monterey he received information that a party of dragoons had been surprised at Encarnacion, also that another party, with Captain Cassius M. Clay and Majors Borland and Gaines were taken prisoners.

While the United States were preparing to attack Vera Cruz, and endeavoring to maintain the positions gained by the northern divisions of the army, under Generals Taylor, Wool, and Kearny, Mexico was also preparing for a decisive blow. In December, the Mexican Congress assembled at the capital. Santa Anna was elected provisional president, and Gomez Farias vice president, of the republic. The command of the army was undertaken by Santa Anna personally, he having recently returned to Mexico from exile at Havana, and devoted himself with zeal to restore domestic order, to unite parties, to devise measures of finance, and to raise and equip troops. Notwithstanding every embarrassment, Santa Anna had concentrated at San Luis Potosi, before the end of January, 1847, an army of more than 21,000 men, prepared to march thence against the divisions of General Taylor's force between Saltillo and the Rio Grande. On the first of February the Mexican army was moving rapidly upon that town, upward of three hundred miles distant from San Luis. The march was arduous, from the great distance over a desert, want of water and provisions, and from the severity of the weather. On the 20th of February they reached Encarnacion, and the next day advanced on Saltillo.*

The army of Santa Anna was admirably equipped. It was composed of the flower of the Mexican nation, and numbered more than four to one of the army which it came to conquer. Hope and dire necessity both urged them to victory. The commander, Santa Anna, had well considered the advantages he would derive from this movement, if successful, and all the chances were in his favor. Could he have driven General Taylor from his position at Buena Vista, he would have swept down to Camargo, and over the whole valley of the Rio Grande. All the munitions of war of the Americans would have fallen into his hands. If defeated, Santa Anna well knew that his moral power over his army would be broken. The fate of his country seemed suspended on the issue of a single battle. His own fame, his place in history, were both to be decided in the coming conflict.†

* Fry's Life of Taylor.

† Mansfield.

General Wool had continued in command of the division of the American army at Saltillo. Near the end of January, he advised General Taylor of the rumored advance of Santa Anna, then organizing his forces at San Luis, as has been mentioned. In consequence of this information, although at that time indefinite, General Taylor determined at once to meet the enemy, if opportunity should be offered; and leaving a garrison of fifteen hundred men at Monterey, he took up his line of march on the 31st with a reinforcement for the column of General Wool. On the 2d of February, he reached Saltillo, and on the 4th he advanced to Agua Nueva, a strong position on the San Luis road, twenty miles south of Saltillo. Here he encamped until the 21st, when he received intelligence that Santa Anna was advancing with his whole army. Having carefully examined the various positions and defiles of the mountains, Taylor decided that Buena Vista, a strong mountain pass, eleven miles nearer Saltillo, was the most favorable point to make a stand against a force so overwhelming. He therefore fell back to that place, and at noon of the 21st, encamped to await the approach of Santa Anna, then within one day's march of this position.

The position of the American army at this moment was most critical. The regular troops had been withdrawn, with the exception of a few companies of artillery and dragoons. The volunteers, of which the army was mainly composed, had received some instruction in the regular duties of the camp, but had not attained that perfection in discipline which gives confidence in military operations.*

The position selected by General Taylor to receive with his small army, the forces of the Mexican chief — five times the number of the Americans — was one of remarkable natural strength. It was at a point where the main road from San Luis to Saltillo, passes between closely-approximating chains of mountains. The bases of these mountains are cut, by the occasional torrents of rain, into numerous deep gullies, almost impassable, owing to the rugged and steep banks leaving between them elevated table-lands or plateaus, of various extent. On the west of the road, and nearly parallel to it, between Agua Nueva and Buena Vista, is also a ditch, forming one of the mountain drains on that side. The American army was drawn up at nearly right angles to the road, its chief force being on the east of it, occupying a large plateau commanding the mountain side. Facing the south, this force constituted the left wing. A battery of light artillery occupied the road, and the right wing rested on the opposite hill. In this attitude, the Americans awaited the advance of the Mexicans, on the morning of the 22d of February, the birthday of Washington.

On the 21st, General Taylor had proceeded with a small force to Saltillo (nine miles from Buena Vista), to make some arrangements for the defence of the town, leaving General Wool in command of the troops.

* Mansfield.

Before those arrangements at Saltillo were completed, on the morning of the 22d, Taylor was advised that the enemy was in sight, advancing. Hastening to the battle-field, he found that the Mexican cavalry advance was in front, having marched from Encarnacion, over forty miles distant, at eleven o'clock on the day previous, and driving in an American mounted force left at Agua Nueva, to cover the removal of public stores.

The features of the ground occupied by the American troops were such as nearly to paralyze the artillery and cavalry of the Mexicans, while their infantry could not derive all the advantages of its numerical superiority. At eleven o'clock, General Taylor received from General Santa Anna, a summons to surrender at discretion, to which the American commander immediately replied, "declining to accede to the request." The enemy still forbore his attack, evidently waiting for the arrival of his rear columns. The Mexican light troops commenced the action by engaging the Americans on the extreme left, and kept up a sharp fire, climbing the mountain-side, and apparently endeavoring to gain the flank of the Americans. The skirmishing of the light troops was kept up until dark; when General Taylor became convinced that no serious attack would be made before morning, and returned, with a regiment and squadron of dragoons, to Saltillo. The troops bivouacked without fires, and laid upon their arms. A body of fifteen hundred Mexican cavalry under General Minon, had entered the valley through a narrow pass east of Saltillo, and had evidently been thrown in the rear of the Americans, to break up and harass the retreat which was so confidently expected by Santa Anna.

Having made the necessary dispositions for the protection of the rear, General Taylor returned to Buena Vista, on the morning of the 23d, ordering forward all the available troops from Saltillo. The action had commenced before his arrival on the field.

During the night of the 22d, the Mexicans had thrown a body of light troops on the mountain-side, with the purpose of outflanking the left of the Americans; and it was here that the action of the 23d, commenced at an early hour. The American riflemen in this position maintained their ground handsomely against a greatly superior force. About eight o'clock, a strong demonstration was made against the American centre, a heavy Mexican column moving along the road; which was soon dispersed by the fire from Captain Washington's battery. In the meantime, a large force of Mexican infantry and cavalry was concentrated under cover of the ridges, with the obvious intention of forcing the left of the Americans. It was found impossible to check the advance of the Mexican infantry, although the American artillery was served against it with great effect, under the orders of Captain O'Brien. When General Taylor arrived upon the field, the left wing of his army had become completely outflanked, and the enemy was pouring masses of infantry and cavalry along the base of the mountain; thus gaining the rear of the Americans in great force. Taylor immediately

directed the left to be strengthened by detachments of Captains Bragg and Sherman's artillery, also by bodies of cavalry. The action was for a long time warmly sustained at that point, the enemy making efforts both with infantry and cavalry, against the American line, and being always repulsed with heavy loss.

At one period, the position of that portion of the Mexican army which had gained the rear of the Americans was very critical, and it seemed doubtful whether it could regain the main body. At that moment, General Taylor received from General Santa Anna a message by a staff-officer, desiring to know what he wanted. Taylor despatched General Wool to the Mexican commander, and ordered his own troops to cease firing. General Wool could not, however, cause the Mexicans to cease their fire, and returned, without having an interview with Santa Anna. The extreme right of the Mexicans retreated along the base of the mountain, and finally, in spite of the efforts of the Americans, effected a junction with the remainder of the army.

During the day, the Mexican cavalry under General Minon, had ascended the elevated plain above Saltillo, and occupied the road from that city to the field of battle. Several skirmishes took place between them and the small bodies of troops left by General Taylor to protect his rear. General Minon made one or two efforts with his cavalry to charge the artillery, but this body of Mexicans were finally driven back in a confused mass, and did not again appear upon the plain.

In the meantime the firing had partially ceased upon the principal field, at Buena Vista. The enemy seemed to confine his efforts to the protection of his artillery, and General Taylor had left the plateau for a moment, when he was recalled thither by a heavy musketry fire. He then discovered that a portion of his infantry, the Illinois and Kentucky volunteers, had engaged a greatly superior force of the enemy — evidently his reserve — and that they had been overwhelmed by numbers. The moment was most critical. Captain O'Brien had lost his two pieces of artillery, which had been taken by the Mexicans — his infantry support being entirely routed. Captain Bragg, who had just arrived from the left, was ordered at once into battery, without any infantry to support him, and at the imminent risk of losing his guns, this officer came rapidly into action, the Mexican line being but a few yards from the muzzle of his pieces. The first discharge of canister caused the enemy to hesitate, the second and third drove him back in disorder, and saved the day. The second Kentucky regiment, which had advanced beyond supporting distance in this affair, was driven back and closely pressed by the enemy's cavalry. Taking a ravine which led in the direction of Captain Washington's battery, their pursuers became exposed to his fire, which soon checked and drove them back with loss. In the meantime, the rest of the American artillery had taken position on the plateau, covered by the Mississippi and third Indi-

ana regiments, the former of which had reached the ground in time to pour a fire into the right flank of the enemy, and thus contribute to his repulse. In this last conflict the Americans sustained a very heavy loss. Colonel Hardin of Illinois, and Colonels M'Kee and Clay of Kentucky, fell at this time, while gallantly leading their commands. Colonel Yell of Arkansas, and Adjutant Vaughan of Kentucky, had previously fallen.

No further attempt was made by the Mexicans to force the position of the Americans, and the approach of night gave an opportunity to pay proper attention to the wounded, and also to refresh the soldiers, who had been exhausted by incessant watchfulness and combat. Though the night was severely cold, the troops were compelled for the most part, to bivouack without fires, expecting that morning would renew the conflict. During the night the wounded were removed to Saltillo, and every preparation made to receive the enemy, should he again attack the American position. Seven fresh companies were drawn from the town, and Brigadier-General Marshall, with a reinforcement of Kentucky cavalry, and four pieces of artillery, was near at hand, when it was discovered that the enemy had abandoned his position during the night. Scouts soon ascertained that the Mexican army had fallen back upon Agua Nueva. The great disparity of numbers, and the exhaustion of Taylor's troops, rendered it inexpedient and hazardous to attempt pursuit. A staff officer was despatched to General Santa Anna to negotiate an exchange of prisoners, which was satisfactorily completed on the following day. The Americans collected and buried their own dead, and the Mexican wounded, of which a large number had been left upon the field, were removed to Saltillo, and rendered as comfortable as circumstances would permit.*

On the evening of the 26th it was ascertained that, excepting a small body of cavalry left at Agua Nueva, the Mexican army had retreated in the direction of San Luis Potosi. On the 27th, General Taylor advanced with his troops and resumed his former camp at Agua Nueva, the Mexican rear guard evacuating the place as the Americans approached, leaving a considerable number of wounded behind. It was Taylor's purpose to beat up the enemy's quarters at Encarnacion early the next morning, but upon examination, the weak condition of the cavalry horses rendered it unadvisable to attempt so long a march without water. Colonel Belknap, with a detachment of troops, was despatched to Encarnacion on the 1st of March. Some two hundred wounded and about sixty Mexican soldiers were found there, the army of Santa Anna, having passed on in the direction of Matehula, with greatly reduced numbers, and suffering much from hunger. The dead and dying were strewed upon the road, and crowded the buildings of the hacienda.

The American loss at the battle of Buena Vista, was 267 killed, 456 wounded, and 23 missing; that of the Mexicans in killed and wounded

* General Taylor's official despatch.

was estimated by General Taylor, and admitted by Santa Anna, to exceed 1500. At least 500 of their killed were left upon the field of battle. The loss of the Americans was especially severe in officers — 28 having been killed upon the field, and 41 wounded.

In a private letter to General E. G. W. Butler, General Taylor referred to certain incidents of the battle. Among other remarks he says: "For several hours the fate of the day was extremely doubtful; so much so, that I was urged by some of the most experienced officers to fall back and take a new position. This I knew it would never do to attempt with volunteers, and at once declined it. Between the several deep ravines, there were portions of level land from one to four hundred yards in extent, which became alternately points of attack and defence, after our left was turned, by both sides. These extended along and near the base of the mountain for about two miles, and the struggle for them may be very appropriately compared to a game of chess. Night put a stop to the contest, and, strange to say, both armies occupied the same positions they did in the morning before the battle commenced. Our artillery did more than wonders.

"We lay on our arms all night, as we had done the two preceding ones, without fires, ready and expecting to renew the contest the next morning; but we found at daylight the enemy had retreated during the night.

"I hope the greater portion of the good people of the country will be satisfied with what we have done on this occasion. I flatter myself that our compelling a Mexican army of more than twenty thousand men, completely organized, and led by their chief magistrate, to retreat, with less than five hundred regulars, and about four thousand volunteers, will meet their approval. I had not a single company of regular infantry; the whole was taken from me."

The news of the victory of Buena Vista was received in the United States as the crowning evidence of Taylor's generalship. He had assumed the responsibility of holding his position beyond Monterey. Knowing his resources and trusting in his officers and troops, he hesitated not to risk everything on the field against the host of Santa Anna. He has himself done justice to the brilliant part which General Wool bore in the action, approving all the preliminary dispositions of that able commander. He has also borne testimony to the services of all others who took part in the action, and expressed his sympathies with the friends of those who had fallen. It was the province of the nation, in return, to acknowledge the surpassing merit of the commander-in-chief. That merit was acknowledged in every form of popular rejoicing and congratulation. Cities and states were emulous in exhibitions of sympathy for his trials and exultation for his success, and respect for his character.*

The importance of the victory at Buena Vista (says Mansfield) can

* *Fry's Life of Taylor.*

not be exaggerated. It secured the whole frontier of the Rio Grande, and struck terror and dismay into the hearts of the Mexican nation. It was, in fact, the first great turning point of the war.

General Taylor, on the 2d of March, intrusted to one of his aids, Mr. Thomas L. Crittenden, of Kentucky, the official reports of the battle of Buena Vista, to be conveyed to Washington. He was escorted by Major Giddings, commanding 260 infantry and two pieces of artillery, and having in charge also one hundred and fifty wagons. Near Ceralvo, on the road to Camargo, the escort was attacked by 1,600 Mexican cavalry and infantry, under Generals Urrea and Romaro. After a brief and gallant struggle the enemy was repulsed, with the loss of 45 killed and wounded. The Americans lost 17 men, of whom 15 were teamsters. General Taylor, subsequently hearing that Urrea was in command of a still larger force, pursued him with about 1,200 volunteers, and two companies of Bragg's artillery, as far as Caidereta, where he learned that the Mexicans had crossed the mountains. General Taylor then returned to the camp at Walnut Springs, three miles from Monterey, where he established his headquarters.

The operations of General Scott, at Vera Cruz and other points on the gulf of Mexico, and the brilliant series of successes of that officer and the troops under his command, in the march from Vera Cruz to the city of Mexico, terminating in the capture and occupation of that capital by the American troops, in September, transferred the seat of war to that quarter. Consequently, General Taylor remained for some months in comparative inactivity, at his headquarters near Monterey. Actual hostilities with Mexico having been practically brought to an end, with the exception of skirmishes with guerilla parties, General Taylor obtained permission to visit his family at Baton Rouge, in Louisiana, from whom he had now been absent for about two years.

Accordingly, in November, 1847, he left the command of the army with General Wool, and took his departure for the United States, by the way of Camargo, Matamoras, and Point Isabel, at which last place he embarked in a steamer for New Orleans, and arrived below that city on the 1st of December. He landed at the barracks, where he met his family, and remained two days. He was greeted by salutes of cannon, display of flags, and the cheers of the people. On the 3d the general proceeded to the city, where he was received with transports of enthusiasm and joy by his fellow-citizens anxious to welcome him to his home. Along the shores of the Mississippi, as far as the eye could reach, gay streamers floated on the breeze from ships of every nation, and the numerous steamboats on the river added to the interest of the scene.

General Taylor was accompanied by several officers of his staff, among whom was Major Bliss, assistant adjutant-general, who had accompanied him in all his campaigns and battles in Mexico. On landing at New

Orleans, a vast procession was formed, and the general was conducted to the St. Charles hotel, where he received the calls of several thousand citizens. To the address of the mayor, welcoming him to the city, the general made a modest and appropriate reply, expressive of his gratitude at this reception by the people of New Orleans. On the following day he visited the Roman catholic cathedral, and was welcomed in an eloquent address by Bishop Blanc. A magnificent sword that had been voted by the legislature of Louisiana, was presented by Governor Johnson, with appropriate remarks, to which General Taylor replied in language of deep feeling at the honor done him.

On the 5th of December, General Taylor left the city in a steamer, for his home in Baton Rouge. On the way thither he was greeted with the most enthusiastic cheers from people on the banks of the river, and on board of steamers and other vessels. From that time he remained to enjoy the quiet of domestic retirement, of which he had so long been deprived, until summoned by the people to accept of new honors, and to enter upon the duties of the most important office in their gift.

The brilliant achievements of Taylor during his campaigns in Mexico, so much attracted the admiration of the people of the United States, that a strong desire was early manifested by his fellow-citizens of various political parties, to place him in nomination as a candidate for president of the republic. His official despatches and private letters confirmed the favorable opinion generally entertained respecting his ability to fill the highest station with credit to himself and benefit to the nation—and the excellence of his private character, as well as his sterling good sense, was acknowledged by all. Although his political opinions were known to coincide with those of the whig party, he had never taken an active part in political contests; many of the democratic party, therefore, avowed their determination to support him as a candidate for the presidency, but the leaders of that party refused to acknowledge his claims. A large portion of the whig party, particularly in the southern and southwestern states, early saw in the popularity attached to his name, the great probability of success in the presidential election if he could be made the candidate of the party, and consequently used every effort to effect such a result. The attention, also, of citizens in several of the states, organized as the native American party, was turned toward General Taylor as a candidate for the presidency immediately after his brilliant victories on the Rio Grande and in Mexico. One of the earliest meetings of the people in favor of his nomination for president, was held at Trenton, New Jersey, on the 11th of June, 1846; this was followed by a similar meeting in the city of New York, on the 18th of the same month. Both of these meetings were called without distinction of party, soon after the reception of the news of the battles of Palo Alto and Resaca de la Palma.

Taylor's nomination for the presidency was proposed to him by one of the

native American party, in March, 1847. While he did not positively refuse to allow his name to be used in that connexion, he stated in reply, April 28, 1847, that he could not, while the country was involved in war, and while his duty called him to take part in the operations against the enemy, acknowledge any ambition beyond that of bestowing all his best exertions toward obtaining an adjustment of our difficulties with Mexico. Subsequently he expressed a willingness to become a candidate for the presidency, provided that the call came from the spontaneous action and free will of the nation at large, and void of the slightest agency of his own.

The following letters, respecting his nomination and his political principles, give his views on those points.

"BATON ROUGE, LA., *January 30, 1848.*

"SIR: Your communication of the 15th instant has been received, and the suggestions therein offered duly considered.

"In reply to your inquiries, I have again to repeat, that I have neither the power nor the desire to dictate to the American people the exact manner in which they should proceed to nominate for the presidency of the United States. If they desire such a result, they must adopt the means best suited, in their opinion, to the consummation of the purpose; and if they think fit to bring me before them for this office, through their legislatures, mass meetings, or conventions, I can not object to their designating these bodies as whig, democrat, or native. But in being thus nominated, I must insist on the condition—and my position on this point is immutable—that I shall not be brought forward by them as the candidate of their party, or considered as the exponent of their party doctrines.

"In conclusion, I have to repeat, that if I were nominated for the presidency, by any body of my fellow-citizens, designated by any name they might choose to adopt, I should esteem it an honor, and would accept such nomination, provided it had been made entirely independent of party considerations.

"I am, sir, very respectfully, your obedient servant, "Z. TAYLOR.
"PETER SKEN SMITH, Esq., Philadelphia."

"BATON ROUGE, *April 22, 1848.*

"DEAR SIR: My opinions have been so often misconceived and misrepresented, that I deem it due to myself, if not to my friends, to make a brief exposition of them upon the topics to which you have called my attention.

"I have consented to the use of my name as a candidate for the presidency. I have frankly avowed my own distrust of my fitness for this high station; but having, at the solicitation of many of my countrymen, taken my position as a candidate, I do not feel at liberty to surrender that position until my friends manifest a wish that I should retire from it. I will then most gladly do so. I have no private purposes to accomplish,

no party projects to build up, no enemies to punish—nothing to serve but my country.

“I have been very often addressed by letter, and my opinions have been asked upon almost every question that might occur to the writers as affecting the interest of their country or their party. I have not always responded to these inquiries, for various reasons.

“I confess, while I have great cardinal principles which will regulate my political life, I am not sufficiently familiar with all the minute details of political legislation to give solemn pledges to exert myself to carry out this or defeat that measure. I have no concealment. I hold no opinion which I would not readily proclaim to my assembled countrymen; but crude impressions upon matters of policy, which may be right to-day and wrong to-morrow, are perhaps not the best test of fitness for office. One who can not be trusted without pledges, can not be confided in merely on account of them.

“I will proceed, however, now to respond to your inquiries:—

“1. I reiterate what I have so often said: I am a whig. If elected, I would not be the mere president of a party. I would endeavor to act independent of party domination. I should feel bound to administer the government untrammelled by party schemes.

“2. THE VETO POWER.—The power given by the constitution to the executive to interpose his veto, is a high conservative power; but, in my opinion, should never be exercised except in cases of clear violation of the constitution, or manifest haste and want of consideration by Congress. Indeed, I have thought that for many years past the known opinions and wishes of the executive have exercised undue and injurious influence upon the legislative department of the government; and for this cause I have thought our system was in danger of undergoing a great change from its true theory. The personal opinions of the individual who may happen to occupy the executive chair, ought not to control the action of Congress upon questions of domestic policy; nor ought his objections to be interposed where questions of constitutional power have been settled by the various departments of government, and acquiesced in by the people.

“3. Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors, the will of the people, as expressed through their representatives in Congress, ought to be respected and carried out by the executive.

“4. THE MEXICAN WAR.—I sincerely rejoice at the prospect of peace. My life has been devoted to arms, yet I look upon war at all times and under all circumstances as a national calamity, to be avoided if compatible with the national honor. The principles of our government, as well as its true policy, are opposed to the subjugation of other nations and the dismemberment of other countries by conquest. In the language of the

great Washington, 'Why should we quit our own to stand on foreign ground?' In the Mexican war our national honor has been vindicated; and in dictating terms of peace, we may well afford to be forbearing and even magnanimous to a fallen foe.

"These are my opinions upon the subjects referred to by you, and any reports or publications, written or verbal, from any source, differing in any essential particular from what is here written, are unauthorized and untrue.

"I do not know that I shall again write upon the subject of national politics. I shall engage in no schemes, no combinations, no intrigues. If the American people have not confidence in me, they ought not to give me their suffrages. If they do not, you know me well enough to believe me, when I declare I shall be content. I am too old a soldier to murmur against such high authority.

"Z. TAYLOR.

"To Captain J. S. ALLISON."

With the knowledge of General Taylor's political opinions repeatedly expressed in the above and other answers to inquiries made of him, his name was prominently brought before the whig national convention which met at Philadelphia on the 1st of June, 1848.

The first ballot taken in that convention showed the popularity of General Taylor, even in comparison with his distinguished rivals as candidates for the presidency. The votes stood for Zachary Taylor, 111; Henry Clay, 97; Winfield Scott, 43; Daniel Webster, 22; John M. Clayton, 4; John McLean, 2. Necessary for a choice, 140; the whole number of votes being 279.

On the second ballot the vote stood for Taylor, 118; Clay, 86; Scott, 49; Webster, 22; Clayton, 4. Third ballot, Taylor, 133; Clay, 74; Scott, 54; Webster, 17; Clayton, 1.

The fourth and final ballot gave Taylor 171; Clay, 35; Scott, 60; Webster, 14. It is worthy of notice, that the votes for General Taylor on the last ballot came from each of the thirty states represented in the convention; thus showing that he was truly a national candidate.

General Taylor was then declared duly nominated as the whig candidate for the presidency of the United States. Millard Fillmore, of the state of New York, was, on the second ballot, nominated by the same convention for vice-president.

Having duly accepted the nomination of the whig national convention, General Taylor remained with his family at Baton Rouge until the presidential election took place, in November, 1848. The result of that election, as shown by the votes of the people, and confirmed of course by the electoral colleges then chosen, which met in December following, was the election of Taylor and Fillmore, the whig candidates for president and vice-president, who each received 163 electoral votes, against 127 votes given for the democratic candidates, General Cass and General Butler.

The distinguishing traits of General Taylor's character, as described by a friend, are honesty, good judgment, benevolence, firmness, and energy. It were a waste of time to dwell upon these traits of his character, for his military career has afforded such abundant examples of his exercise of these qualities as to render them familiar to every one who has heard or read of the man. The following extracts from Taylor's official despatches at different periods of his life, are characteristic of his determination and unsurpassed bravery.

In his letter to General Howard, giving the details of his expedition against the British and Indians on Red river in September, 1814, he says:—

"I collected the officers together and put the following question to them: 'Are we able, 334 effective men, to fight the enemy with any prospect of success?' They were of opinion the enemy was *at least three to one*, and that it was not practicable to effect the object. I then determined to drop down the river and erect a fort; and should the enemy attempt to descend the river in force before the fort can be completed, *every foot of the way from the fort to the settlements shall be contested.*"

In his letter to the adjutant-general of the army, dated Point Isabel, May 7, 1846 (more than thirty years after the above), he uses similar language, viz.:—

"I shall march this day, with the main body of the army, to open a communication with Major Brown, and to throw forward supplies of ordnance and provisions. *If the enemy opposes my march, in whatever force, I shall fight him.*"

In person, General Taylor is about five feet eight inches in height, and slightly inclined to corpulency. His complexion is dark, his forehead high, and his eyes keen and penetrating, indicating uniform good humor, his face careworn, but extremely intelligent, and generally lit up with a benevolent smile. He dresses at all times with great simplicity, and is kind and affable in his manners. He has been but once married, and has had four children—one son and three daughters. Of the latter, one married Dr. Wood, of the U. S. army; another (since deceased) married Colonel Jefferson Davis, of Mississippi, who commanded the Mississippi volunteers at Buena Vista; the third married Colonel W. W. S. Bliss, of the army, who, as before mentioned, accompanied the general in his campaigns in Mexico. Colonel Bliss and lady reside with the president.

On the 24th of January, General Taylor took his departure for Washington, to enter upon the duties of the high office to which he had been elected by the suffrages of the people. On the day previous to his taking leave of his home and his immediate friends and neighbors, the citizens of Baton Rouge, without distinction of party, assembled spontaneously, to pay him their respects and bid him farewell. A large procession was formed, which proceeded to his residence where he was appropriate-

ly addressed on behalf of the citizens, by one of their number. To this address he made a brief but touching reply, in which he assured them that it was with feelings of no ordinary character, that he met with his fellow-citizens on such an occasion, many of whom he had been associated with more than a quarter of a century. Had he consulted his own wishes, he said he should have preferred the office he was then about to vacate, and have remained among his old friends ; but that as the people had, without his solicitation, seen fit to elevate him to another station, though he distrusted his abilities satisfactorily to discharge the great and important duties thus imposed upon him, yet he assured them that he should endeavor to fulfil them without regard to fear, favor, or affection from any one. In conclusion with his prayers for the welfare of his fellow-citizens of Baton Rouge, he bade them an affectionate farewell.

The day succeeding General Taylor's departure, Colonel Bliss, assistant adjutant-general, issued an order announcing the resignation of the general, and his final withdrawal from the military service of the army. In resigning his commission, General Taylor expressed his "regret at his separation from a service to which he was attached by so many pleasing and proud associations. To the officers and men who had served under his immediate orders, he expressed his hearty thanks for their zealous and cordial support in the execution of the duties confided to him during a long and eventful service. To them and to all he extended a heartfelt farewell, and his warmest wishes for their continued happiness and success in the arduous and honorable career which they had chosen." Thus terminated Taylor's connexion with the army, after a service of more than forty years.

On his journey to Washington, by way of the Mississippi and Ohio rivers, the Cumberland road, and the Baltimore and Ohio railroad, the president elect was met with the liveliest expressions of gratitude and respect by the people in the different places along his route. After a long and fatiguing journey, interrupted by the public demonstrations in the various cities and towns through which he passed, he arrived at Washington, on the evening of the 23d of February, the anniversary of the battle of Buena Vista—and was received with every demonstration of joy by the citizens and others assembled at the national capital. From the relay house, on the railroad, about thirty miles from Washington, he was attended by the mayor and several members of the city council. The delay at the relay house, where he was welcomed by deputations from Baltimore, caused his arrival at the metropolis after nightfall—but the stars shone brightly, and the railroad track was occasionally illuminated by bonfires on the route. By the roaring of cannon and flights of brilliant rockets was the general heralded into the city, and escorted by a large concourse of people to his quarters at Willard's hotel, on Pennsylvania avenue where he remained until the day of his inauguration.

The joint committee of the senate and house of representatives appointed to wait on the president and vice-president elect and inform them of their election to those high offices, having accordingly waited on General Taylor, after his arrival at the seat of government, and through their chairman, Colonel Jefferson Davis of Mississippi (his son-in-law), performed that duty; "the president elect, in signifying his acceptance of the office to which he had been chosen by the people, evinced emotions of the profoundest gratitude, and acknowledged his distrust of his ability to fulfil the expectations upon which their confidence was based, but gave assurances of a fixed purpose to administer the government for the benefit and advantage of the whole country.

"In alluding to the fact to which his attention had been drawn, that the chairman of the committee represented a public body, a majority of whom were opposed in political opinion to the president elect, and accorded with that majority, he recognised in it the deference to the popular will constitutionally expressed, on which rests the strength and hope of the republic, and he said that it was to have been expected from the senate of the United States.

"He expressed an ardent wish that he might be able in any degree to assuage the fierceness of party, or temper with moderation the conflicts of those who are offily divided as to the means of securing the public welfare.

"He said, having been reminded that he was about to occupy the chair once filled by Washington, that he could hope to emulate him only in the singleness of the aims which guided the conduct of the man who had no parallel in history, and no rival in the hearts of his countrymen.

"In conclusion, he announced his readiness to take the oath of office on the 5th of March, proximo, at such hour and place as might be designated."

The report of the committee being made to the senate on the 27th of February, that body appointed as a committee to make the necessary arrangements for the reception of the president elect on the 5th of March, Senators Reverdy Johnson, Jefferson Davis, and John Davis.

In the full tide of a well-earned popularity, and with the best wishes of all parties, General Taylor commenced his career as chief magistrate of the republic. Immediately after his inauguration, on the 5th of March, 1849, he familiarly received at the presidential mansion all classes of his fellow-citizens, who thronged to welcome his advent at the capital, and to assure him of the public confidence in intrusting to him the affairs of state which devolved upon him. With becoming diffidence, in consequence of his want of experience as a civilian, he devoted himself with assiduity to the duties of his new station, and rapidly made himself acquainted with public men and the measures required of him as the head of the nation, and the director of its destinies.

After the first labors attendant upon the organization of his adminis-

tration were over, the president made a tour, during the summer of 1849, through the middle states, as far west as Lake Erie, when, in consequence of ill health, from which he soon after recovered, he returned to Washington, passing through the interior of the state of New York, and the cities of New York, Philadelphia, and Baltimore. He was everywhere received by the people with enthusiasm and favor.

Resuming his duties at the seat of government, President Taylor met with firmness the many difficulties which embarrassed his administration, and continued to enjoy the confidence of his countrymen in the midst of the agitating questions which distracted Congress during a long and arduous session.

In the height of his usefulness, and while he was generally relied on as being eminently fitted, from his position and character, to calm dissension, and restore domestic peace to the Union, General Taylor was seized with an alarming illness, which, assuming the form of a bilious fever, in five days terminated his existence, at the presidential mansion, in the city of Washington, on Tuesday, the 9th of July, 1850, in the 66th year of his age.

General Taylor was attended in his last moments by his wife and other members of his family, including Colonel Bliss and lady, Colonel Taylor and family, Jefferson Davis and family; also by Vice-President Fillmore, several senators and members of the house of representatives, gentlemen of the diplomatic corps, and a number of intimate friends. The medical having yielded to the spiritual agent, whose office it was to prepare for the approach of the king of terrors, prayers were said, after which the dying president took leave of his family. His last audible words were, "I am about to die—I expect the summons soon—I have endeavored to discharge all my official duties faithfully—I regret nothing, but am sorry that I am about to leave my friends."

The funeral of President Taylor took place at Washington, on Saturday, the 13th of July; and was attended by the members of both houses of Congress, President Fillmore, the cabinet and other officers of the general government, with a vast concourse of citizens and strangers. The pageant exceeded everything of the kind in order and magnificence, that ever took place in the metropolis.

General Taylor had discharged the duties of president one year, four months, and four days; and his sudden and unexpected death overwhelmed with sorrow his countrymen throughout the Union. Public honors were paid to his memory by both houses of Congress, then in session, by the army and navy, by state, municipal, and other authorities, and by religious and other societies; and, in short, every demonstration of respect and sorrow was evinced by the people of the whole country for the great loss which the nation had sustained.

In the language of one of the journals of the day, "General Taylor

had endeared himself to the American people to a degree which few public men ever obtain. The cause of this lay in the great goodness of his heart, the exceeding sincerity of his character; in his transparent common sense, so broad and strong as to amount to wisdom; in a firmness that faced every danger and shunned no responsibility; and in a patriotism and sense of honor which threw an almost chivalrous halo over the sturdy elements of his nature. 'Not a statesman by genius or by habit, he brought to the presidency a sound practical judgment which often proved more reliable than the opinions of those long versed in political affairs. He felt as the president of the American people, and instinctively apprehended the destiny of the republic. Not endowed with uncommon powers of reflection, he penetrated the questions brought before him as by a spontaneous faculty of insight, and having once made up his mind, did not abandon his determination. He was eminently a man of the people; he took them by the hand; he shared in their joys and their sorrows; not for any ulterior purpose, not as one descending for the moment from an eminent position, but because he felt himself foreign to no human interest or emotion. A triumphant general, elected to the presidency without effort on his part, he never forgot that admirable native modesty which forbade him to exaggerate the value of his own services and talents, or to claim any gift or capacity which he was not fully conscious of possessing. With manners of great plainness, destitute of polish, he always conveyed the impression of a true gentleman. But in every respect General Taylor was an American. He was a son of this republic; whatever he was, he was a product of his country and her institutions, and of the names of her great and good men, few will longer be preserved than his."

TAYLOR'S

ADDRESSES AND MESSAGES

INAUGURAL ADDRESS.

MARCH 5, 1849.

ELECTED by the American people to the highest office known to our laws, I appear here to take the oath prescribed by the constitution, and, in compliance with a time-honored custom, to address those who are now assembled.

The confidence and respect shown by my countrymen, in calling me to be the chief magistrate of a republic holding a high rank among the nations of the earth, have inspired me with feelings of the most profound gratitude; but, when I reflect that the acceptance of the office which their partiality has bestowed imposes the discharge of the most arduous duties, involves the most weighty obligations, I am conscious that the position which I have been called to fill, though sufficient to satisfy the loftiest ambition, is surrounded by fearful responsibilities.

Happily, however, in the performance of my new duties I shall not be without able co-operation. The legislative and judicial branches of the government present prominent examples of distinguished civil attainments and matured experience, and it shall be my endeavor to call to my assistance, in the executive departments, individuals whose talents, integrity, and purity of character, will furnish ample guaranties for the faithful and honorable performance of the trusts to be committed to their charge. With such aids, and an honest purpose to do whatever is right, I hope to execute diligently, impartially, and for the best interests of the country, the manifold duties devolved upon me.

In the discharge of these duties, my guide will be the constitution which I this day swear to "preserve, protect, and defend." For the interpretation of that instrument, I shall look to the decisions of the judicial tribunals established by its authority, and to the practice of the government under the earlier presidents, who had so large a share in its formation. To the example of those illustrious patriots I shall always defer with reverence, and especially to his example who was by so many titles "the father of his country."

To command the army and navy of the United States—with the advice and consent of the senate to make treaties and to appoint ambassadors and other officers—to give to Congress information of the state of the Union and recommend such measures as he shall judge to be necessary, and to take

care that the laws shall be faithfully executed—these are the most important functions intrusted to the president by the constitution; and it may be expected that I shall briefly indicate the principles which will control me in their execution.

Chosen by the body of the people, under the assurance that my administration would be devoted to the welfare of the whole country, and not to the support of any particular section or merely local interest, I this day renew the declaration I have heretofore made, and proclaim my fixed determination to maintain, to the extent of my ability, the government in its original purity, and to adopt as the basis of my public policy, those great republican doctrines which constitute the strength of our national existence.

In reference to the army and navy, lately employed with so much distinction on active service, care shall be taken to insure the highest condition of efficiency; and, in furtherance of that object, the military and naval schools sustained by the liberality of Congress, shall receive the special attention of the executive.

As American freemen we can not but sympathize in all efforts to extend the blessings of civil and political liberty, but at the same time we are warned by the admonition of history and the voice of our own beloved Washington to abstain from entangling alliances with foreign nations. In all disputes between conflicting governments, it is our interest not less than our duty to remain strictly neutral, while our geographical position, the genius of our institutions and our people, the advancing spirit of civilization, and, above all, the dictates of religion, direct us to the cultivation of peaceful and friendly relations with all other powers. It is to be hoped that no international question can now arise which a government, confident in its own strength, and resolved to protect its own just rights, may not settle by wise negotiation; and it eminently becomes a government like our own, founded on the morality and intelligence of its citizens, and upheld by their affections, to exhaust every resort of honorable diplomacy before appealing to arms. In the conduct of our foreign relations, I shall conform to these views, as I believe them essential to the best interests and the true honor of the country.

The appointing power vested in the president imposes delicate and onerous duties. So far as it is possible to be informed, I shall make honesty, capacity, and fidelity, indispensable prerequisites to the disposal of office, and the absence of either of these qualities shall be deemed sufficient cause for removal.

It shall be my study to recommend such constitutional measures to Congress as may be necessary and proper to secure encouragement and protection to the great interests of agriculture, commerce, and manufacture, to improve our rivers and harbors, to provide for the speedy extinguishment of the public debt, to enforce a strict accountability on the part of all officers of the government, and the utmost economy in all public expenditures. But it is for the wisdom of Congress itself, in which all legislative powers are vested by the constitution, to regulate these and other matters of domestic policy. I shall look with confidence to the enlightened patriotism of that body to adopt such measures of conciliation as may harmonize conflicting interests and tend to perpetuate that Union, which should be the paramount object of our hopes and affections. In any action calculated to promote an object so near the heart of every one who truly loves his country, I will zealously unite with the co-ordinate branches of the government.

In conclusion, I congratulate you, my fellow-citizens, upon the high state of prosperity to which the goodness of Divine Providence has conducted our common country. Let us invoke a continuance of the same protecting care which has led us from small beginnings to the eminence we this day occupy, and let us seek to deserve that continuance by prudence and moderation in our councils ; by well-directed attempts to assuage the bitterness which too often marks unavoidable differences of opinion ; by the promulgation and practice of just and liberal principles, and by an enlarged patriotism which shall acknowledge no limits but those of our own widespread republic.

FIRST ANNUAL MESSAGE.

DECEMBER 4, 1849.

Fellow-Citizens of the Senate and House of Representatives :—

SIXTY years have elapsed since the establishment of this government, and the Congress of the United States again assembles to legislate for an empire of freemen. The predictions of evil prophets, who formerly pretended to foretell the downfall of our institutions, are now remembered only to be derided, and the United States of America at this moment present to the world the most stable and permanent government on earth.

Such is the result of the labors of those who have gone before us. Upon Congress will eminently depend the future maintenance of our system of free government, and the transmission of it unimpaired to posterity.

We are at peace with all the other nations of the world, and seek to maintain our cherished relations of amity with them. During the past year we have been blessed, by a kind Providence, with an abundance of the fruits of the earth ; and, although the destroying angel, for a time, visited extensive portions of our territory with the ravages of a dreadful pestilence, yet the Almighty has at length deigned to stay his hand, and to restore the inestimable blessing of general health to a people who have acknowledged his power, deprecated his wrath, and implored his merciful protection.

While enjoying the benefits of amicable intercourse with foreign nations, we have not been insensible to the distraction and wars which have prevailed in other quarters of the world. It is a proper theme of thanksgiving to Him who rules the destinies of nations, that we have been able to maintain, amidst all these contests, an independent and neutral position towards all belligerent Powers.

Our relations with Great Britain are of the most friendly character. In consequence of the recent alteration of the British navigation acts, British vessels, from British and other foreign ports, will (under our existing laws), after the first day of January next, be admitted to entry in our ports, with cargoes of the growth, manufacture, or production of any part of the world on the same terms, as to duties, imposts, and charges, as vessels of the United States with their cargoes ; and our vessels will be admitted to the same advantages in British ports, entering therein on the same terms as British vessels. Should no order in council disturb this legislative arrangement, the late act of the British Parliament, by which Great Britain is

brought within the terms proposed by the act of Congress of the 1st of March, 1817, it is hoped will be productive of benefit to both countries.

A slight interruption of diplomatic intercourse, which occurred between this government and France, I am happy to say, has been terminated, and our minister there has been received. It is, therefore, unnecessary to refer now to the circumstances which led to that interruption. I need not express to you the sincere satisfaction with which we shall welcome the arrival of another envoy extraordinary and minister plenipotentiary from a sister-republic, to which we have so long been, and still remain, bound by the strongest ties of amity.

Shortly after I had entered upon the discharge of the executive duties, I was apprized that a war-steamer, belonging to the German empire, was being fitted out in the harbor of New York, with the aid of some of our naval officers, rendered under the permission of the late secretary of the navy. This permission was granted during an armistice between that empire and the kingdom of Denmark, which had been engaged in the Schleswig-Holstein war. Apprehensive that this act of intervention, on our part, might be viewed as a violation of our neutral obligations, incurred by the treaty with Denmark, and of the provisions of the act of Congress of the 20th of April, 1818, I directed that no further aid should be rendered by any agent or officer of the navy; and I instructed the secretary of state to apprise the minister of the German empire, accredited to this government, of my determination to execute the law of the United States, and to maintain the faith of treaties with all nations. The correspondence which ensued between the department of state and the minister of the German empire is herewith laid before you. The execution of the law, and the observance of the treaty, were deemed by me to be due to the honor of the country, as well as to the sacred obligations of the constitution. I shall not fail to pursue the same course, should a similar case arise, with any other nation. Having avowed the opinion, on taking the oath of office, that in disputes between conflicting foreign governments, it is our interest, not less than our duty, to remain strictly neutral, I shall not abandon it. You will perceive, from the correspondence submitted to you, in connexion with this subject, that the course adopted in this case has been properly regarded by the belligerent powers interested in the matter.

Although a minister of the United States to the German empire was appointed by my predecessor in August, 1848, and has for a long time been in attendance at Frankfort-on-the-Main, and although a minister, appointed to represent that empire, was received and accredited here, yet no such government as that of the German empire has been definitively constituted. Mr. Donelson, our representative at Frankfort, remained there several months in the expectation that a union of the German states, under one constitution or form of government, might at length be organized. It is believed by those well acquainted with the existing relations between Prussia and the states of Germany, that no such union can be permanently established without her co-operation. In the event of the formation of such a union, and the organization of a central power in Germany, of which she should form a part, it would become necessary to withdraw our minister at Berlin; but while Prussia exists as an independent kingdom, and diplomatic relations are maintained with her, there can be no necessity for the continuance of the mission to Frankfort. I have, therefore, recalled Mr. Donelson, and directed the archives of the legation at Frankfort to be transferred to the American legation at Berlin.

Having been apprised that a considerable number of adventurers were engaged in fitting out a military expedition, within the United States, against a foreign country, and believing, from the best information I could obtain, that it was destined to invade the island of Cuba, I deemed it due to the friendly relations existing between the United States and Spain—to the treaty between the two nations—to the laws of the United States, and, above all, to the American honor—to exert the lawful authority of this government in suppressing the expedition and preventing the invasion. To this end, I issued a proclamation, enjoining it upon the officers of the United States, civil and military, to use all lawful means within their power. A copy of that proclamation is herewith submitted. The expedition has been suppressed. So long as the act of Congress of the 20th of April, 1818, which owes its existence to the law of nations and to the policy of Washington himself, shall remain on our statute-book, I hold it to be the duty of the executive faithfully to obey its injunctions.

While this expedition was in progress, I was informed that a foreigner, who claimed our protection, had been clandestinely, and, as was supposed, forcibly, carried off in a vessel from New Orleans to the island of Cuba. I immediately caused such steps to be taken as I thought necessary, in case the information I had received should prove correct, to vindicate the honor of the country and the right of every person seeking an asylum on our soil to the protection of our laws. The person alleged to have been abducted was promptly restored, and the circumstances of the case are now about to undergo investigation before a judicial tribunal. I would respectfully suggest that, although the crime charged to have been committed in this case is held odious, as being in conflict with our opinions on the subject of national sovereignty and personal freedom, there is no prohibition of it or punishment for it provided in any act of Congress. The expediency of supplying this defect in our criminal code is therefore recommended to your consideration.

I have scrupulously avoided any interference in the wars and contentions which have recently distracted Europe.

During the late conflict between Austria and Hungary, there seemed to be a prospect that the latter might become an independent nation. However faint that prospect at the time appeared, I thought it my duty, in accordance with the general sentiment of the American people, who deeply sympathized with the Magyar patriots, to stand prepared, upon the contingency of the establishment by her of a permanent government, to be the first to welcome independent Hungary into the family of nations. For this purpose, I invested an agent, then in Europe, with power to declare our willingness promptly to recognise her independence in the event of her ability to sustain it. The powerful intervention of Russia in the contest extinguished the hopes of the struggling Magyars. The United States did not, at any time, interfere in the contest; but the feelings of the nation were strongly enlisted in the cause, and by the sufferings of a brave people, who had made a gallant though unsuccessful effort to be free.

Our claims upon Portugal have been during the past year prosecuted with renewed vigor, and it has been my object to employ every effort of honorable diplomacy to procure their adjustment. Our late chargé d'affaires at Lisbon, the honorable George W. Hopkins, made able and energetic but unsuccessful efforts to settle these unpleasant matters of controversy, and to obtain indemnity for the wrongs which were the subjects of

complaint. Our present chargé d'affaires at that court will also bring to the prosecution of these claims ability and zeal. The revolutionary and distracted condition of Portugal in past times has been represented as one of the leading causes of her delay in indemnifying our suffering citizens. But I must now say it is matter of profound regret that these claims have not yet been settled. The omission of Portugal to do justice to the American claimants has now assumed a character so grave and serious that I shall shortly make it the subject of a special message to Congress, with a view to such ultimate action as its wisdom and patriotism may suggest.

With Russia, Austria, Prussia, Sweden, Denmark, Belgium, the Netherlands, and the Italian states, we still maintain our accustomed amicable relations.

During the recent revolutions in the papal states, our chargé d'affaires at Rome has been unable to present his letter of credence, which, indeed, he was directed by my predecessor to withhold until he should receive further orders. Such was the unsettled condition of things in those states, that it was not deemed expedient to give him any instructions on the subject of presenting his credential letter different from those with which he had been furnished by the late administration until the 25th of June last; when, in consequence of the want of accurate information of the exact state of things at that distance from us, he was instructed to exercise his own discretion in presenting himself to the then existing government, if in his judgment sufficiently stable; or, if not, to await further events. Since that period Rome has undergone another revolution, and he abides the establishment of a government sufficiently permanent to justify him in opening diplomatic intercourse with it.

With the republic of Mexico it is our true policy to cultivate the most friendly relations. Since the ratification of the treaty of Guadalupe Hidalgo, nothing has occurred of a serious character to disturb them. A faithful observance of the treaty, and a sincere respect for her rights, can not fail to secure the lasting confidence and friendship of that republic. The message of my predecessor to the house of representatives, of the 8th of February last, communicating, in compliance with a resolution of that body, a copy of a paper called a protocol, signed at Queretaro on the 30th of May, 1848, by the commissioners of the United States and the minister of foreign affairs of the Mexican government, having been a subject of correspondence between the department of state and the envoy extraordinary and minister plenipotentiary of that republic accredited to this government, a transcript of that correspondence is herewith submitted.

The commissioner on the part of the United States for marking the boundary between the two republics, though delayed in reaching San Diego by unforeseen obstacles, arrived at that place within a short period after the time required by the treaty, and was there joined by the commissioner on the part of Mexico. They entered upon their duties; and, at the date of the latest intelligence from that quarter, some progress had been made in the survey. The expenses incident to the organization of the commission, and to its conveyance to the point where its operations were to begin, have so much reduced the fund appropriated by Congress that a further sum, to cover the charges which must be incurred during the present fiscal year, will be necessary. The great length of frontier along which the boundary extends, the nature of the adjacent territory,

and the difficulty of obtaining supplies, except at or near the extremes of the line, render it also indispensable that a liberal provision should be made to meet the necessary charges during the fiscal year ending on the 30th of June, 1851. I accordingly recommend this subject to your attention.

In the adjustment of the claims of American citizens on Mexico, provided for by the late treaty, the employment of counsel on the part of the government may become important for the purpose of assisting the commissioners in protecting the interests of the United States. I recommend this subject to the early and favorable consideration of Congress.

Complaints have been made in regard to the inefficiency of the means provided by the government of New Grenada for transporting the United States mail across the isthmus of Panama, pursuant to our postal convention with that republic, of the 6th of March, 1844. Our chargé d'affaires at Bogota has been directed to make such representations to the government of New Grenada as will, it is hoped, lead to a prompt removal of this cause of complaint.

The sanguinary civil war with which the republic of Venezuela has for some time past been ravaged, has been brought to a close. In its progress the rights of some of our citizens, resident or trading there, have been violated. The restoration of order will afford the Venezuelan government an opportunity to examine and redress these grievances, and others of long standing, which our representatives at Caraccas have hitherto ineffectually urged upon the attention of that government.

The extension of the coast of the United States on the Pacific, and the unexampled rapidity with which the inhabitants of California especially are increasing in numbers, have imparted new consequence to our relations with the other countries whose territories border upon that ocean. It is probable that the intercourse between those countries and our possessions in that quarter, particularly with the republic of Chili, will become extensive and mutually advantageous in proportion as California and Oregon shall increase in population and wealth. It is desirable, therefore, that this government should do everything in its power to foster and strengthen its relations with those states, and that the spirit of amity between us should be mutual and cordial.

I recommend the observance of the same course toward all other American states. The United States stand as the great American power, to which, as their natural ally and friend, they will always be disposed first to look for mediation and assistance, in the event of any collision between them and any European nation. As such, we may often kindly mediate in their behalf, without entangling ourselves in foreign wars or unnecessary controversies. Whenever the faith of our treaties with any of them shall require our interference, we must necessarily interpose.

A convention has been negotiated with Brazil, providing for the satisfaction of American claims on that government, and it will be submitted to the senate. Since the last session of Congress, we have received an envoy extraordinary and minister plenipotentiary from that empire, and our relations with it are founded upon the most amicable understanding.

Your attention is earnestly invited to an amendment of our existing laws relating to the African slave-trade, with a view to the effectual suppression of that barbarous traffic. It is not to be denied that this trade is still, in part, carried on by means of vessels built in the United States, and owned or navigated by some of our citizens. The correspondence between the

department of state and minister and consul of the United States at Rio de Janeiro, which has from time to time been laid before Congress, represents that it is a customary device to evade the penalties of our laws by means of sea-letters. Vessels sold in Brazil, when provided with such papers by the consul, instead of returning to the United States for a new register, proceed at once to the coast of Africa, for the purpose of obtaining cargoes of slaves. Much additional information, of the same character, has recently been transmitted to the department of state. It has not been considered the policy of our laws to subject an American citizen, who, in a foreign country, purchases a vessel built in the United States, to the inconvenience of sending her home for a new register, before permitting her to proceed on a voyage. Any alteration of the laws which might have a tendency to impede the free transfer of property in vessels between our citizens, or the free navigation of those vessels between different parts of the world, when employed in lawful commerce, should be well and cautiously considered; but I trust that your wisdom will devise a method by which our general policy, in this respect, may be preserved, and at the same time the abuse of our flag by means of sea-letters, in the manner indicated, may be prevented.

Having ascertained that there is no prospect of the reunion of the five states of Central America, which formerly composed the republic of that name, we have separately negotiated with some of them treaties of amity and commerce, which will be laid before the senate.

A contract having been concluded with the state of Nicaragua, by a company composed of American citizens, for the purpose of constructing a ship canal through the territory of that state, to connect the Atlantic and Pacific oceans, I have directed the negotiation of a treaty with Nicaragua, pledging both governments to protect those who shall engage in and perfect the work. All other nations are invited by the state of Nicaragua, to enter into the same treaty stipulations with her; and the benefit to be derived by each from such an arrangement will be the protection of this great inter-oceanic communication against any power which might seek to obstruct it, or to monopolize its advantages. All states entering into such a treaty will enjoy the right of passage through the canal on payment of the same tolls.

The work, if constructed under these guaranties, will become a bond of peace instead of a subject of contention and strife between the nations of the earth. Should the great maritime states of Europe consent to this arrangement (and we have no reason to suppose that a proposition so fair and honorable will be opposed by any), the energies of their people and ours will co-operate in promoting the success of the enterprise. I do not recommend any appropriation from the national treasury for this purpose; nor do I believe that such an appropriation is necessary. Private enterprise, if properly protected, will complete the work, should it prove to be feasible. The parties who have procured the charter from Nicaragua for its construction, desire no assistance from this government beyond its protection; and they profess that, having examined the proposed line of communication, they will be ready to commence the undertaking whenever that protection shall be extended to them. Should there appear to be reason, on examining the whole evidence, to entertain a serious doubt of the practicability of constructing such a canal, that doubt could be speedily solved by an actual exploration of the route.

Should such a work be constructed, under the common protection of all

nations, for equal benefits to all, it would be neither just nor expedient that any great maritime state should command the communication. The territory through which the canal may be opened ought to be freed from the claims of any foreign power. No such power should occupy a position that would enable it hereafter to exercise so controlling an influence over the commerce of the world, or to obstruct a highway which ought to be dedicated to the common uses of mankind.

The routes across the isthmus at Tehuantepec and Panama are also worthy of our serious consideration. They did not fail to engage the attention of my predecessor. The negotiator of the treaty of Guadalupe Hidalgo was instructed to offer a very large sum of money for the right of transit across the isthmus of Tehuantepec. The Mexican government did not accede to the proposition for the purchase of the right of way, probably because it had already contracted with private individuals for the construction of a passage from the Guasacualco river to Tehuantepec. I shall not renew any proposition to purchase, for money, a right which ought to be equally secured to all nations, on payment of a reasonable toll to the owners of the improvement, who would, doubtless, be well contented with that compensation and the guaranties of the maritime states of the world, in separate treaties negotiated with Mexico, binding her and them to protect those who should construct the work. Such guaranties would do more to secure the completion of the communication through the territory of Mexico than any other reasonable consideration that could be offered; and, as Mexico herself would be the greatest gainer by the opening of this communication between the gulf and the Pacific ocean, it is presumed that she would not hesitate to yield her aid, in the manner proposed, to accomplish an improvement so important to her own best interests.

We have reason to hope that the proposed railroad across the isthmus at Panama will be successfully constructed, under the protection of the late treaty with New Grenada, ratified and exchanged by my predecessor on the 10th day of June, 1848, which guaranties the perfect neutrality of the isthmus, and the rights of sovereignty and property of New Grenada over that territory, "with a view that the free transit from ocean to ocean may not be interrupted or embarrassed" during the existence of the treaty. It is our policy to encourage every practicable route across the isthmus, which connects North and South America, by either railroad or canal, which the energy and enterprise of our citizens may induce them to complete; and I consider it obligatory upon me to adopt that policy, especially in consequence of the absolute necessity of facilitating intercourse with our possessions on the Pacific.

The position of the Sandwich Islands, with reference to the territory of the United States on the Pacific, the success of our persevering and benevolent citizens who have repaired to that remote quarter in christianizing the natives and inducing them to adopt a system of government and laws suited to their capacity and wants, and the use made by our numerous whale-ships of the harbors of the islands as places of resort for obtaining refreshments and repairs, all combine to render their destiny peculiarly interesting to us. It is our duty to encourage the authorities of those islands in their efforts to improve and elevate the moral and political condition of the inhabitants; and we should make reasonable allowances for the difficulties inseparable from this task. We desire that the islands may maintain their independence, and that other nations should concur with us in this sentiment. We could in no event be indifferent to their passing

under the dominion of any other power. The principal commercial states have in this a common interest, and it is to be hoped that no one of them will attempt to interpose obstacles to the entire independence of the islands.

The receipts into the treasury for the fiscal year ending on the thirtieth of June last, were, in cash, forty-eight millions, eight hundred and thirty thousand, ninety-seven dollars, and fifty cents (\$48,830,097 50), and in treasury-notes funded, ten millions, eight hundred and thirty-three thousand dollars (\$10,833,000), making an aggregate of fifty-nine millions, six hundred and sixty-three thousand, ninety-seven dollars, and fifty cents (\$59,663,097 50); and the expenditures for the same time were, in cash, forty-six millions, seven hundred and ninety-eight thousand, six hundred and sixty-seven dollars, and eighty-two cents (\$46,798,667 82), and in treasury-notes funded, ten millions, eight hundred and thirty-three thousand dollars (\$10,833,000), making an aggregate of fifty-seven millions, six hundred and thirty-one thousand, six hundred and sixty-seven dollars, and eighty-two cents (\$57,631,667 82).

The accounts and estimates which will be submitted to Congress in the report of the secretary of the treasury, show that there will probably be a deficit occasioned by the expenses of the Mexican war and treaty, on the first day of July next, of five millions, eight hundred and twenty-eight thousand, one hundred and twenty-one dollars, and sixty-six cents, (\$5,828,121 66), and on the first day of July, 1851, of ten millions, five hundred and forty-seven thousand, and ninety-two dollars, and seventy-three cents (\$10,547,092 73), making in the whole a probable deficit, to be provided for, of sixteen millions, three hundred and seventy-five thousand, two hundred and fourteen dollars, and thirty-nine cents (\$16,375,214 39). The extraordinary expenses of the war with Mexico, and the purchase of California and New Mexico, exceed in amount this deficit, together with the loans heretofore made for those objects. I therefore recommend that authority be given to borrow whatever sum may be necessary to cover that deficit. I recommend the observance of strict economy in the appropriation and expenditure of public money.

I recommend a revision of the existing tariff, and its adjustment on a basis which may augment the revenue. I do not doubt the right or duty of Congress to encourage domestic industry, which is the great source of national as well as individual wealth and prosperity. I look to the wisdom and patriotism of Congress for the adoption of a system which may place home labor at last on a sure and permanent footing, and, by due encouragement of manufactures, give a new and increased stimulus to agriculture, and promote the development of our vast resources and the extension of our commerce. Believing that to the attainment of these ends (as well as the necessary augmentation of the revenue and the prevention of frauds) a system of specific duties is best adapted, I strongly recommend to Congress the adoption of that system, fixing the duties at rates high enough to afford substantial and sufficient encouragement to our own industry, and, at the same time, so adjusted as to insure stability.

The question of the continuance of the sub-treasury system is respectfully submitted to the wisdom of Congress. If continued, important modifications of it appear to be indispensable.

For further details and views on the above, and other matters connected with commerce, the finances, and revenue, I refer to the report of the secretary of the treasury.

No direct aid has been given by the general government to the improvement of agriculture, except by the expenditure of small sums for the collection and publication of agricultural statistics, and for some chemical analyses, which have been, thus far, paid for out of the patent fund. This aid is, in my opinion, wholly inadequate. To give to this leading branch of American industry the encouragement which it merits, I respectfully recommend the establishment of an agricultural bureau, to be connected with the department of the interior. To elevate the social condition of the agriculturist, to increase his prosperity, and to extend his means of usefulness to his country, by multiplying his sources of information, should be the study of every statesman, and a primary object with every legislator.

No civil government having been provided by Congress for California, the people of that territory, impelled by the necessities of their political condition, recently met in convention, for the purpose of forming a constitution and state government, which the latest advices give me reason to suppose has been accomplished; and it is believed they will shortly apply for the admission of California into the Union as a sovereign state. Should such be the case, and should their constitution be conformable to the requisitions of the constitution of the United States, I recommend their application to the favorable consideration of Congress.

The people of New Mexico will also, it is believed, at no very distant period, present themselves for admission into the Union. Preparatory to the admission of California and New Mexico, the people of each will have instituted for themselves a republican form of government, "laying its foundations in such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

By awaiting their action, all causes of uneasiness may be avoided, and confidence and kind feeling preserved. With a view of maintaining the harmony and tranquillity so dear to all, we should abstain from the introduction of those exciting topics of a sectional character which have hitherto produced painful apprehensions in the public mind; and I repeat the solemn warning of the first and most illustrious of my predecessors against furnishing "any ground for characterizing parties by geographical discriminations."

A collector has been appointed at San Francisco, under the act of Congress extending the revenue laws over California; and measures have been taken to organize the customhouses at that and the other ports mentioned in that act, at the earliest period practicable. The collector proceeded overland, and advices have not yet been received of his arrival at San Francisco. Meanwhile, it is understood that the customs have continued to be collected there by officers acting under the military authority, as they were during the administration of my predecessor. It will, I think, be expedient to confirm the collections thus made, and direct the avails (after such allowance as Congress may think fit to authorize) to be expended within the territory, or to be paid into the treasury for the purpose of meeting appropriations for the improvement of its rivers and harbors.

A party engaged on the coast survey was despatched to Oregon in January last. According to the latest advices, they had not left California; and directions have been given to them, as soon as they shall have fixed on the sites of the two lighthouses and the buoys authorized to be constructed and placed in Oregon, to proceed without delay to make recon-

noisances of the most important points on the coast of California, and especially to examine and determine on sites for lighthouses on that coast, the speedy erection of which is urgently demanded by our rapidly-increasing commerce.

I have transferred the Indian agencies from Upper Missouri and Council Bluffs to Santa Fe and Salt Lake, and have caused to be appointed sub-agents in the valleys of the Gila, the Sacramento, and San Joaquin rivers. Still further legal provisions will be necessary for the effective and successful extension of our system of Indian intercourse over the new territories.

I recommend the establishment of a branch mint in California, as it will, in my opinion, afford important facilities to those engaged in mining, as well as to the government in the disposition of the mineral lands.

I also recommend that commissions be organized by Congress to examine and decide upon the validity of the present subsisting land titles in California and New Mexico; and that provision be made for the establishment of offices of surveyor-general in New Mexico, California, and Oregon, and for the surveying and bringing into market the public lands in those territories. Those lands, remote in position and difficult of access, ought to be disposed of on terms liberal to all, but especially favorable to the early emigrants.

In order that the situation and character of the principal mineral deposits in California may be ascertained, I recommend that a geological and mineralogical exploration be connected with the linear surveys, and that the mineral lands be divided into small lots suitable for mining, and be disposed of, by sale or lease, so as to give our citizens an opportunity of procuring a permanent right of property in the soil. This would seem to be as important to the success of mining as of agricultural pursuits.

The great mineral wealth of California, and the advantages which its ports and harbors, and those of Oregon, afford to commerce, especially with the islands of the Pacific and Indian oceans, and the populous regions of Eastern Asia, make it certain that there will arise in a few years large and prosperous communities on our western coast. It therefore becomes important that a line of communication, the best and most expeditious which the nature of the country will admit, should be opened within the territory of the United States, from the navigable waters of the Atlantic on the gulf of Mexico to the Pacific. Opinion, as elicited and expressed by two large and respectable conventions, lately assembled at St. Louis and Memphis, points to a railroad as that which, if practicable, will best meet the wishes and wants of the country. But while this, if in successful operation, would be a work of great national importance, and of a value to the country which it would be difficult to estimate, it ought also to be regarded as an undertaking of vast magnitude and expense, and one which must, if it be indeed practicable, encounter many difficulties in its construction and use. Therefore, to avoid failure and disappointment: to enable Congress to judge whether, in the condition of the country through which it must pass, the work be feasible; and, if it be found so, whether it should be undertaken as a national improvement or left to individual enterprise; and, in the latter alternative, what aid, if any, ought to be extended to it by the government, I recommend, as a preliminary measure, a careful reconnoissance of the several proposed routes by a scientific corps, and a report as to the practicability of making such a road, with an estimate of the cost of its construction and support.

For further views on these and other matters connected with the duties of the home department, I refer you to the report of the secretary of the interior.

I recommend early appropriations for continuing the river and harbor improvements which have been already begun, and also for the construction of those for which estimates have been made, as well as for examinations and estimates preparatory to the commencement of such others as the wants of the country, and especially the advance of our population over new districts and the extension of commerce, may render necessary. An estimate of the amount which can be advantageously expended within the next fiscal year under the direction of the bureau of topographical engineers accompanies the report of the secretary of war, to which I respectfully invite the attention of Congress.

The cession of territory made by the late treaty with Mexico has greatly extended our exposed frontier, and rendered its defence more difficult. That treaty has also brought us under obligations to Mexico, to comply with which a military force is requisite. But our military establishment is not materially changed, as to its efficiency, from the condition in which it stood before the commencement of the Mexican war. Some addition to it will therefore be necessary; and I recommend to the favorable consideration of Congress an increase of the several corps of the army at our distant western posts, as proposed in the accompanying report of the secretary of war.

Great embarrassment has resulted from the effect upon rank, in the army, heretofore given to brevet and staff commissions. The views of the secretary of war on this subject are deemed important, and, if carried into effect, will, it is believed, promote the harmony of the service. The plan proposed for retiring disabled officers, and providing an asylum for such of the rank and file as from age, wounds, and other infirmities occasioned by service, have become unfit to perform their respective duties, is recommended as a means of increasing the efficiency of the army, and as an act of justice due from a grateful country to the faithful soldier.

The accompanying report of the secretary of the navy presents a full and satisfactory account of the condition and operations of the naval service during the past year. Our citizens engaged in the legitimate pursuits of commerce have enjoyed its benefits. Wherever our national vessels have gone they have been received with respect, our officers have been treated with kindness and courtesy, and they have on all occasions pursued a course of strict neutrality, in accordance with the policy of our government.

The naval force at present in commission is as large as is admissible, with the number of men authorized by Congress to be employed.

I invite your attention to the recommendation of the secretary of the navy on the subject of a re-organization of the navy, in its various grades of officers, and the establishing of a retired list for such of the officers as are disqualified for active and effective service. Should Congress adopt some such measure as is recommended, it will greatly increase the efficiency of the navy, and reduce its expenditures.

I also ask your attention to the views expressed by him in reference to the employment of war-steamers, and in regard to the contracts for the transportation of the United States mails and the operation of the system upon the prosperity of the navy.

By an act of Congress passed August 14, 1848, provision was made for extending postoffice and mail accommodations to California and Ore-

gon. Exertions have been made to execute that law ; but the limited provisions of the act, the inadequacy of the means it authorizes, the ill adaptation of our postoffice laws to the situation of that country, and the measure of compensation for services allowed by those laws, compared with the prices of labors and rents in California, render those exertions, in a great degree, ineffectual. More particular and efficient provision by law is required on this subject.

The act of 1845, reducing postage, has now, by its operation during four years, produced results fully showing that the income from such reduced postage is sufficient to sustain the whole expense of the service of the postoffice department, not including the cost of transportation in mail steamers on the lines from New York to Chagres, and from Panama to Astoria, which have not been considered by Congress as properly belonging to the mail service.

It is submitted to the wisdom of Congress whether a further reduction of postage should not now be made, more particularly on the letter correspondence. This should be relieved from the unjust burden of transporting and delivering the franked matter of Congress, for which public service provisions should be made from the treasury. I confidently believe that a change may safely be made, reducing all single-letter postage to the uniform rate of five cents, regardless of distance, without thereby imposing any greater tax on the treasury than would constitute a very moderate compensation for this public service ; and I therefore respectfully recommend such a reduction. Should Congress prefer to abolish the franking privilege entirely, it seems probable that no demand on the treasury would result from the proposed reduction of postage. Whether any further diminution should now be made, or the result of the reduction to five cents, which I have recommended, should be first tested, is submitted to your decision.

Since the commencement of the last session of Congress, a postal treaty with Great Britain has been received and ratified, and such regulations have been formed by the postoffice departments to the two countries, in pursuance of that treaty, as to carry its provisions into full operation. The attempts to extend this same arrangement, through England, to France, has not been equally successful ; but the purpose has not been abandoned.

For a particular statement of the condition of the postoffice department, and other matters connected with that branch of the public service, I refer you to the report of the postmaster-general.

By the act of the 3d of March, 1849, a board was constituted to make arrangements for taking the seventh census, composed of the secretary of state, the attorney-general, and the postmaster-general ; and it was made the duty of this board " to prepare, and cause to be printed, such forms and schedules as might be necessary for the full enumeration of the inhabitants of the United States : and also proper forms and schedules for collecting, in statistical tables, under proper heads, such information as to mines, agriculture, commerce, manufactures, education, and other topics, as would exhibit a full view of the pursuits, industry, education, and resources of the country." The duties enjoined upon the census board thus established having been performed, it now rests with Congress to enact a law for carrying into effect the provision of the constitution which requires an actual enumeration of the people of the United States within the ensuing year.

Among the duties assigned by the constitution to the general government is one of local and limited application, but not on that account the

less obligatory ; I allude to the trust committed to Congress as the exclusive legislator and sole guardian of the interests of the District of Columbia. I beg to commend these interests to your kind attention. As the national metropolis, the city of Washington must be an object of general interest ; and founded, as it was, under the auspices of him whose immortal name it bears, its claims to the fostering care of Congress present themselves with additional strength. Whatever can contribute to its prosperity must enlist the feelings of its constitutional guardians, and command their favorable consideration.

Our government is one of limited powers, and its successful administration eminently depends on the confinement of each of its co-ordinate branches within its own appropriate sphere. The first section of the constitution ordains that "all legislative powers therein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives." The executive has authority to recommend (not to dictate) measures to Congress. Having performed that duty, the executive department of the government can not rightfully control the decision of Congress on any subject of legislation, until that decision shall have been officially submitted to the president for approval. The check provided by the constitution in the clause conferring the qualified veto will never be exercised by me, except in the cases contemplated by the fathers of the republic. I view it as an extreme measure, to be resorted to only in extraordinary cases—as where it may become necessary to defend the executive against the encroachments of the legislative power, or to prevent hasty and inconsiderate or unconstitutional legislation. By cautiously confining this remedy within the sphere prescribed to it in the contemporaneous expositions of the framers of the constitution, the will of the people, legitimately expressed on all subjects of legislation, through their constitutional organs, the senators and representatives of the United States, will have its full effect. As indispensable to the preservation of our system of self-government, the independence of the representatives of the states and the people is guarantied by the constitution ; and they owe no responsibility to any human power but their constituents. By holding the representative responsible only to the people, and exempting him from all other influences, we elevate the character of the constituent, and quicken his sense of responsibility to his country. It is under these circumstances only that the elector can feel that, in the choice of a law-maker, he is himself truly a component part of the sovereign power of the nation. With equal care we should study to defend the rights of the executive and judicial departments. Our government can only be preserved in its purity by the suppression and entire elimination of every claim or tendency of one co-ordinate branch to encroachment upon another. With the strict observance of this rule and the other injunctions of the constitution ; with a sedulous inculcation of that respect and love for the Union of the states which our fathers cherished and enjoined upon their children ; and with the aid of that overruling Providence which has so long and so kindly guarded our liberties and institutions, we may reasonably expect to transmit them, with their innumerable blessings, to the remotest posterity.

But attachment to the Union of the states should be habitually fostered in every American heart. For more than half a century, during which kingdoms and empires have fallen, this Union has stood unshaken. The patriots who formed it have long since descended to the grave ; yet still

it remains, the proudest monument to their memory, and the object of affection and admiration with every one worthy to bear the American name. In my judgment, its dissolution would be the greatest of calamities; and to avert that should be the study of every American. Upon its preservation must depend our own happiness and that of countless generations to come. Whatever dangers may threaten it, I shall stand by it and maintain it in its integrity to the full extent of the obligations imposed and the power conferred upon me by the constitution.

CUBA PROCLAMATION.

August 11, 1849.

THERE is reason to believe that an armed expedition is about to be fitted out in the United States, with an intention to invade the island of Cuba, or some of the provinces of Mexico. The best information which the executive has been able to obtain, points to the island of Cuba as the object of this expedition. It is the duty of this government to observe the faith of treaties, and to prevent any aggression by our citizens upon the territories of friendly nations. I have, therefore, thought it necessary and proper to issue this proclamation, to warn all citizens of the United States, who shall connect themselves with an enterprise so grossly in violation of our laws and our treaty obligations, that they will thereby subject themselves to the heavy penalties denounced against them by our acts of Congress, and will forfeit their claim to the protection of their country. No such persons must expect the interference of this government, in any form, on their behalf, no matter to what extremities they may be reduced in consequence of their conduct. An enterprise to invade the territories of a friendly nation, set on foot and prosecuted within the limits of the United States, is, in the highest degree, criminal, as tending to endanger the peace and compromise the honor of this nation; and, therefore, I exhort all good citizens, as they regard our national reputation, as they respect their own laws and the laws of nations, as they value the blessings of peace and the welfare of their country, to discountenance and prevent, by all lawful means, any such enterprise; and I call upon every officer of this government, civil or military, to use all efforts in his power to arrest, for trial and punishment, every such offender against the laws providing for the performance of our sacred obligations to friendly powers.

Given under my hand the 11th day of August, in the year of our Lord one thousand eight hundred and forty-nine, and the seventy-fourth of the independence of the United States.

SPECIAL MESSAGE.

JANUARY 4, 1850.

To the Senate and House of Representatives of the United States :—

I HEREWITH submit to you copies of a correspondence with the lady of Sir John Franklin, relative to the well-known expedition under his command, to the arctic regions, for the discovery of a northwest passage. On the receipt of her first letter, imploring the aid of the American government in a search for the missing ships engaged in an enterprise which interested all civilized nations, I anxiously sought the means of affording that assistance, but was prevented from accomplishing the object I had in view in consequence of the want of vessels suitable to encounter the perils of a proper exploration, the lateness of the season, and the want of an appropriation by Congress to enable me to furnish and equip an efficient squadron for that object. All that I could do, in compliance with a request which I was deeply anxious to gratify, was to cause the advertisement of reward, promulgued by the British government, and the best information I could obtain as to the means of finding the vessels under the command of Sir John Franklin, to be widely circulated among our whalers and seafaring men, whose spirit of enterprise might lead them to the inhospitable regions where that heroic officer and his brave followers, who periled their lives in the cause of science and for the benefit of the world, were supposed to be imprisoned among the icebergs or wrecked upon a desert shore.

Congress being now in session, the propriety and expediency of an appropriation for fitting out an expedition to proceed in search of the missing ships, with their officers and crews, are respectfully submitted to your consideration.

CALIFORNIA AND NEW MEXICO MESSAGE.

JANUARY 21, 1850.

To the House of Representatives of the United States :—

I TRANSMIT to the house of representatives, in answer to a resolution of that body passed on the 31st of December last, the accompanying reports of heads of departments, which contain all the official information in the possession of the executive asked for by the resolution.

On coming into office, I found the military commandant of the department of California exercising the functions of civil governor in that territory; and left, as I was, to act under the treaty of Guadalupe Hidalgo, without the aid of any legislative provision establishing a government in that territory, I thought it best not to disturb that arrangement, made under my predecessor, until Congress should take some action on that subject. I therefore did not interfere with the powers of the military commandant, who continued to exercise the functions of civil governor as before; but I made no such appointment, conferred no such authority, and have allowed no increased compensation to the commandant for his services.

With a view to the faithful execution of the treaty, so far as lay in the

power of the executive, and to enable Congress to act, at the present session, with as full knowledge and as little difficulty as possible, on all matters of interest in these territories, I sent the honorable Thomas Butler King as bearer of despatches to California, and certain officers to California and New Mexico, whose duties are particularly defined in the accompanying letters of instruction addressed to them severally by the proper departments.

I did not hesitate to express to the people of those territories my desire that each territory should, if prepared to comply with the requisitions of the constitution of the United States, form a plan of a state constitution, and submit the same to Congress, with a prayer for admission into the Union as a state; but I did not anticipate, suggest, or authorize, the establishment of any such government without the assent of Congress; nor did I authorize any government agent or officer to interfere with or exercise any influence or control over the election of delegates, or over any convention, in making or modifying their domestic institutions or any of the provisions of their proposed constitution. On the contrary, the instructions given by my orders were, that all measures of domestic policy adopted by the people of California must originate solely with themselves; that while the executive of the United States was desirous to protect them in the formation of any government republican in its character, to be, at the proper time, submitted to Congress, yet it was to be distinctly understood that the plan of such a government must, at the same time, be the result of their own deliberate choice, and originate with themselves, without the interference of the executive.

I am unable to give any information as to laws passed by any supposed government in California, or of any census taken in either of the territories mentioned in the resolution, as I have no information on those subjects.

As already stated, I have not disturbed the arrangements which I found had existed under my predecessor.

In advising an early application by the people of these territories for admission as states, I was actuated principally by an earnest desire to afford to the wisdom and patriotism of Congress the opportunity of avoiding occasions of bitter and angry dissensions among the people of the United States.

Under the constitution, every state has the right of establishing, and, from time to time, altering its municipal laws and domestic institutions, independently of every other state and of the general government, subject only to the prohibitions and guaranties expressly set forth in the constitution of the United States. The subjects thus left exclusively to the respective states were not designed or expected to become topics of national agitation. Still, as, under the constitution, Congress has power to make all needful rules and regulations respecting the territories of the United States, every new acquisition of territory has led to discussions on the question whether the system of involuntary servitude which prevails in many of the states should or should not be prohibited in that territory. The periods of excitement from this cause which have heretofore occurred have been safely passed; but during the interval, of whatever length, which may elapse before the admission of the territories ceded by Mexico as states, it appears probable that similar excitement will prevail to an undue extent.

Under these circumstances, I thought, and still think, that it was my duty to endeavor to put it in the power of Congress, by the admission of

California and New Mexico as states, to remove all occasions for the unnecessary agitation of the public mind.

It is understood that the people of the western part of California have formed a plan of a state constitution, and will soon submit the same to the judgment of Congress, and apply for admission as a state. This course on their part, though in accordance with, was not adopted exclusively in consequence of, any expression of my wishes, inasmuch as measures tending to this end had been promoted by the officers sent there by my predecessor, and were already in active progress of execution before any communication from me reached California. If the proposed constitution shall, when submitted to Congress, be found to be in compliance with the requisitions of the constitution of the United States, I earnestly recommend that it may receive the sanction of Congress.

The part of California not included in the proposed state of that name is believed to be uninhabited, except in a settlement of our countrymen in the vicinity of Salt Lake.

A claim has been advanced by the state of Texas to a very large portion of the most populous district of the territory commonly designated by the name of New Mexico. If the people of New Mexico had formed a plan of a state government for that territory as ceded by the treaty of Guadalupe Hidalgo, and had been admitted by Congress as a state, our constitution would have afforded the means of obtaining an adjustment of the question of boundary with Texas by a judicial decision. At present, however, no judicial tribunal has the power of deciding that question, and it remains for Congress to devise some mode for its adjustment. Meanwhile, I submit to Congress the question whether it would be expedient, before such adjustment, to establish a territorial government, which, by including the district so claimed, would practically decide the question adversely to the state of Texas, or by excluding it, would decide it in her favor. In my opinion, such a course would not be expedient, especially as the people of this territory still enjoy the benefit and protection of their municipal laws, originally derived from Mexico, and have a military force stationed there to protect them against the Indians. It is undoubtedly true that the property, lives, liberties, and religion of the people of New Mexico are better protected than they ever were before the treaty of cession.

Should Congress, when California shall present herself for incorporation into the Union, annex a condition to her admission as a state affecting her domestic institutions, contrary to the wishes of her people, and even compel her, temporarily, to comply with it, yet the state could change her constitution, at any time after admission, when to her it should seem expedient. Any attempt to deny to the people of the state the right of self-government, in a matter which peculiarly affects themselves, will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of the American people. To assert that they are a conquered people, and must, as a state, submit to the will of their conquerors in this regard, will meet with no cordial response among American freemen. Great numbers of them are native citizens of the United States, not inferior to the rest of our countrymen in intelligence and patriotism; and no language of menace, to restrain them in the exercise of an undoubted right, substantially guarantied to them by the treaty of cession itself, shall ever be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that,

in the residue of the territory ceded to us by Mexico, the people residing there will, at the time, of their incorporation into the Union as a state, settle all questions of domestic policy to suit themselves. No material inconvenience will result from the want, for a short period, of a government established by Congress over that part of the territory which lies eastward of the new state of California; and the reasons for my opinion that New Mexico will, at no very distant period, ask for admission into the Union, are founded on unofficial information, which, I suppose, is common to all who have cared to make inquiries on that subject.

Seeing, then, that the question which now excites such painful sensation in the country will, in the end, certainly be settled by the silent effect of causes independent of the action of Congress, I again submit to your wisdom the policy recommended in my annual message, of awaiting the salutary operation of those causes, believing that we shall thus avoid the creation of geographical parties, and secure the harmony of feeling so necessary to the beneficial action of our political system. Connected as the Union is with the remembrance of past happiness, the sense of present blessings, and the hope of future peace and prosperity, every dictate of wisdom, every feeling of duty, and every emotion of patriotism, tends to inspire fidelity and devotion to it, and admonish us cautiously to avoid any unnecessary controversy which can either endanger it or impair its strength, the chief element of which is to be found in the regard and affection of the people for each other.

SPECIAL MESSAGE.

JANUARY 23, 1850.

To the House of Representatives :—

I TRANSMIT to the house of representatives a copy of the convention between the United States and his majesty the emperor of Brazil, providing for the satisfaction of claims of citizens of the United States against the Brazilian government, signed at Rio de Janeiro on the 27th of January last, and the ratifications of which were exchanged in this city on the 18th instant. It is desirable that Congress should prescribe the mode in which the claims referred to are to be adjusted, and the money stipulated to be paid by Brazil shall be distributed among the claimants. Extracts from despatches of the minister of the United States at Rio de Janeiro, and a copy of a letter from an agent of claimants there, are also herewith communicated, to which your attention is invited. I have authorized our minister to demand, receive, and give acquittances for the amount payable by Brazil, and have caused him to be instructed to remit the same to the treasurer of the United States.

SPECIAL MESSAGE.

JANUARY 30, 1850.

To the Senate of the United States :—

IN reply to the resolution of the senate of the 7th instant, requesting of me all the official correspondence, since the 4th of March last, between this government and its military authorities at Santa Fe, or with the authorities of the state of Texas, relating to the boundary or occupation of Texas, and the reasons why the judicial authority of Texas has not been recognised by the military authority at Santa Fe, I herewith submit the accompanying reports, which contain the information called for by the resolution.

I have not been informed of any acts of interference by the military forces stationed at Santa Fe with the judicial authority of Texas, established or sought to be established there. I have received no communication from the governor of Texas on any of the matters referred to in the resolution ; and I concur in the opinion expressed by my predecessor, in the letter addressed by the late secretary of state to the governor of Texas on the 12th day of February, 1847, that the boundary between the state of Texas and the territory of New Mexico " is a subject which more properly belongs to the legislative than to the executive branch of the government."

SPECIAL MESSAGE.

FEBRUARY 13, 1850.

To the House of Representatives of the United States :—

I HAVE received a resolution of the house of representatives of the 24th ultimo, requesting the president of the United States " to communicate to that body (provided the publication thereof be not prejudicial to the public interest) all such information as may be within the knowledge of the executive department, relative to the alleged extraordinary proceedings of the English government in the forcible seizure and occupation of the island of Tigre, in the state of Nicaragua, Central America ; also, all facts, circumstances, or communications, within the knowledge of the executive, relative to any seizure, occupation, or attempted seizure or occupation, by the English government, of any port, river, town, territory, or island belonging to or claimed by any of the states of Central America. Also, that he be requested to communicate to this house (if not incompatible with the public interest) all treaties not heretofore published, which may have been negotiated with any of the states of Central America, by any person acting by authority from the late administration, or under the auspices of the present executive." The information called for by this resolution will be cheerfully communicated to the house as soon as it shall be found compatible with the public interest.

SPECIAL MESSAGE.

FEBRUARY 13, 1850.

To the Senate of the United States :—

I HAVE received a resolution of the senate of the 28th ult., requesting "the president of the United States to cause to be laid before the senate (in open session, if, in his opinion, consistent with the public interest, otherwise in executive session), copies of all instructions and communications of the late secretary of state to our late chargé d'affaires at Guatemala, and all despatches and communications from said chargé d'affaires to the department of state, including any conventions or treaties he may have concluded with either of the states composing the late republic of Central America; and also all correspondence between our said chargé d'affaires and the government or representatives of either of said states; and also all instructions and communications from the present secretary of state to our late chargé d'affaires or our present chargé d'affaires to either of said states; and of all despatches or communications from our chargé d'affaires to the department of state, including any conventions or treaties he may have concluded with either of said states; and also all correspondence between the department of state and either of said chargés des affaires touching the so-called kingdom of the Mosquitoes, and the right of way from the Atlantic to the Pacific, through Lake Nicaragua." The information called for by this resolution will be cheerfully communicated to the senate as soon as it shall be found to be compatible with the public interest.

SPECIAL MESSAGE.

MARCH 28, 1850.

To the Senate of the United States :—

IN compliance with a resolution of the senate of the 22d instant, requesting the president of the United States to communicate to that body, a copy of the instructions given to the agent of the United States, who was employed to visit Hungary during the recent war between that country and Austria, and of the correspondence by and with such agent, so far as the publication of the same may be consistent with the public interest, I herewith transmit to the senate a copy of the instructions to A. Dudley Mann, Esq., relating to Hungary, he having been appointed by me special agent to that country on the 18th day of June last, together with a copy of the correspondence with our late chargé d'affaires to Austria, referred to in those instructions and of other papers, disclosing the policy of this government in reference to Hungary and her people. I also transmit, in compliance with the resolution of the senate, but in a separate packet, a copy of the correspondence of Mr. Mann with the department of state. The latter I have caused to be marked "*Executive*," the information contained in it being such as will be found, on examination, most appropriately to belong to the senate in the exercise of its executive functions. The pub-

lication of this correspondence of the agent, sent by me to Hungary, is a matter referred entirely to the judgment and discretion of the senate.

It will be seen, by the documents now transmitted, that no minister or agent was accredited by the government of Hungary to this government at any period since I came into office, nor was any communication ever received by this government from the minister of foreign affairs of Hungary, or any other executive officer authorized to act in her behalf.

My purpose, as freely avowed in this correspondence, was to have acknowledged the independence of Hungary, had she succeeded in establishing a government *de facto*, on a basis sufficiently permanent in its character to have justified me in doing so, according to the usages and settled principles of this government; and although she is now fallen, and many of her gallant patriots are in exiles or in chains, I am free still to declare, that had she been successful in the maintenance of such a government as we could have recognised, we should have been the first to welcome her into the family of nations.

SPECIAL MESSAGE.

MAY 7, 1850.

To the House of Representatives of the United States:—

I HEREWITH transmit to the house of representatives copies of a correspondence between the department of state and the British legation in this city relative to the reciprocal admission of the natural products of the United States and Canada, free of duty, into the territories of both countries. It will be seen by the accompanying documents that the late secretary of the treasury recommended, in his correspondence with the committee on commerce in the house of representatives, reciprocal free trade in the natural products of the United States and Canada; that in March and June, 1849, a correspondence was opened between the British chargé d'affaires then residing in Washington and the secretary of state upon the subject of a commercial convention, or treaty, to carry out the views of her majesty's government in relation thereto, and that the proposition for such a convention or treaty was declined on the part of the American government, for reasons which are fully set forth in the note of the secretary of state to Mr. Crampton of the 26th of June last. During the negotiations connected with this correspondence, not considering the markets of Canada as an equivalent for those of the United States, I directed the secretary of state to inquire what other benefits of trade and commerce would be yielded by the British authorities in connexion with such a measure, and particularly whether the free navigation of the St. Lawrence would be conceded to us. That subject has accordingly been presented to the British government, and the result was communicated by her majesty's minister in Washington on the 27th of March last, in reply to a note from the secretary of state of the 26th of that month. From these papers it will be perceived that the navigation of the St. Lawrence, and of the canals connecting it with the western lakes, will be opened to the citizens of the United States, in the event that the bill referred to in the correspondence, providing for the admission of their natural products, should become a law. The whole

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subject is now submitted to the consideration of Congress, and especially whether the concession proposed by Great Britain is an equivalent for the reciprocity desired by her.

SPECIAL MESSAGE.

MAY 22, 1850.

To the Senate of the United States :—

I HEREWITH transmit to the senate reports of the several heads of departments, to whom were referred the resolutions of the senate, of the 9th instant, "requesting the president of the United States to furnish to the senate copies of all correspondence between any of the executive departments and General Persifor F. Smith and Brigadier-General B. Riley, or either of them, relative to affairs in California, which had not been communicated to the senate; and also all information existing in any of the executive departments respecting the transactions of the convention in California, by which the project of a state government was prepared, and particularly a copy of the journals of said convention, and of such of the ordinances adopted by it as may in any way have been communicated to any of the said departments; and likewise to inform the senate if the surrender of General Riley to the jurisdiction and civil authority of the government, made by the aforesaid convention, was by order of the executive of the United States, and, if not, whether the proclamation of General Riley recognising the said state government, and submitting to its jurisdiction has received the sanction of the executive; and, also, that he furnish to the senate whatever intelligence may have been received in the executive department respecting the condition of civil affairs in the Oregon Territory.

The reports, with the official correspondence accompanying them, it is believed, embrace all the information in the department called for by the resolution.

SPECIAL MESSAGE.

JUNE 3, 1850.

To the Senate of the United States :—

I TRANSMIT to the senate, herewith, reports from the several heads of departments, which contain all the information in possession of the executive relative to the subject of the resolution of the 23d instant.

No information has been received establishing the existence of any revolutionary movement in the island of Cuba among the inhabitants of that island. The correspondence submitted discloses, however, the fact that repeated attempts have been made, under the direction of foreigners enjoying the hospitality of this country, to get up armed expeditions in the United States for the purpose of invading Cuba. It will be seen by that correspondence that this government has been faithful in the discharge of its treaty obligations with Spain, and in the execution of the acts of Congress which have for their object the maintenance, in this regard, of the peace and honor of this country.

SPECIAL MESSAGE.

JUNE 10, 1850.

To the Senate of the United States :—

I SUBMIT herewith, in reply to a resolution of the senate of the 3d instant, calling for "copies of the instructions given, and orders issued, in relation to the assemblage of persons on Round island, coast of Mississippi, during the summer of 1849, and of the correspondence between the president, or heads of departments, and the governor of Mississippi, and the officers, naval or military, of the United States, in reference to the observation, investment, and dispersion of said assemblage upon said island," a report from the secretary of the navy, and accompanying documents, which contain all the information on the subject not heretofore communicated to the senate.

SPECIAL MESSAGE.

JUNE 17, 1850.

To the Senate of the United States :—

I HAVE received a copy of the resolution of the senate, of the 11th instant, requesting me "to inform the senate whether any orders have been issued to any military officer or officers at Santa Fe to hold possession, against the authority of Texas, or in any way to embarrass or prevent the exercise of her jurisdiction over that country; and to furnish the senate with copies of any correspondence which may have taken place between the war department and the military stationed at Santa Fe since the date of my last communication to the senate on that subject."

In reply to that resolution, I state that no such orders have been given.

I herewith present to the senate copies of all the correspondence referred to in the resolution. All the other orders relating to the subject-matter of the resolution have been heretofore communicated to the senate.

I have already, in a former message, referred to the fact that the boundary between Texas and New Mexico is disputed. I have now to state that information has been recently received that a certain Robert S. Neighbors, styling himself commissioner of the state of Texas, has proceeded to Santa Fe, with a view of organizing counties in that district, under the authority of Texas. While I have no power to decide the question of boundary, and no desire to interfere with it, as a question of title, I have to observe that the possession of the territory into which it appears that Mr. Neighbors has thus gone, was actually acquired by the United States from Mexico, and has since been held by the United States, and in my opinion, ought so to remain until the question of boundary shall have been determined by some competent authority. Meanwhile, I think there is no reason for seriously apprehending that Texas will practically interfere with the possession of the United States.

SPECIAL MESSAGE.

JUNE 26, 1850.

To the House of Representatives of the United States :—

I HEREWITH transmit a report of the secretary of war, communicating the information as far as it can be furnished, required by the resolution of the house of representatives of the 17th instant, respecting the amount of money collected from customs in California from the conclusion of the war until the collector appointed under the act of March 3, 1849, entered upon his duties; the objects for which said money has been expended, and the authority under which the collections and disbursements were made.

SPECIAL MESSAGE.

JUNE 27, 1850.

To the Senate of the United States :—

IN compliance with the resolution of the senate of the 3d instant, requesting information in regard to the indemnity stipulated to be paid by the government of Peru to the government of the United States, pursuant to the modified convention of the 17th of March, 1841, I transmit a report from the secretary of state, and the documents by which it was accompanied. The sums paid by that government under the convention are mentioned in the letters of Messrs. E. McCall and Company, of Lima, who were appointed by my predecessor the agents to receive the instalments as they might fall due.

SPECIAL MESSAGE.

JULY 1, 1850.

To the Senate of the United States :—

I HEREWITH transmit a report from the secretary of war, prepared in answer to a resolution of the senate of the 27th ultimo, requesting information of the proceedings of the executive in regard to the appointment of the officer now commanding in New Mexico, the orders and instructions given to and correspondence with him, and upon other subjects mentioned in the resolution.

CENTRAL AMERICA TREATY MESSAGE.

APRIL 22, 1850.

To the Senate of the United States :

I HEREBY transmit to the senate, for their advice with regard to its ratification, a convention between the United States and Great Britain, concluded at Washington, on the 19th instant, by John M. Clayton, secretary of state, on the part of the United States, and by the right honorable Sir Henry Lytton Bulwer, on the part of Great Britain.

This treaty has been negotiated in accordance with the general views expressed in my message to Congress in December last. Its object is to establish a commercial alliance with all great maritime states for the protection of a contemplated ship canal through the territory of Nicaragua, to connect the Atlantic and Pacific oceans, and at the same time to insure the same protection to the contemplated railways or canals by the Tehuantepec and Panama routes, as well as to every other inter-oceanic communication which may be adopted to shorten the transit to or from our territories on the Pacific.

It will be seen that this treaty does not propose to take money from the public treasury to effect any object contemplated by it. It yields protection to the capitalists who may undertake to construct any canal or railway across the isthmus commencing in the southern part of Mexico, and terminating in the territory of New Grenada. It gives no preference to any one route over another, but proposes the same measure of protection for all which ingenuity and enterprise can construct. Should this treaty be ratified, it will secure in future the liberation of all Central America from any kind of foreign aggression.

At the time negotiations were opened with Nicaragua for the construction of a canal through her territory, I found Great Britain in possession of nearly half of Central America, as the ally and protector of the Mosquito king. It has been my object in negotiating this treaty, not only to secure the passage across the isthmus to the government and citizens of the United States by the construction of a great highway dedicated to the uses of all nations on equal terms, but to maintain the independence and sovereignty of all the Central American republics. The senate will judge how far these objects have been effected.

If there be any who would desire to seize and annex any portion of the territories of these weak sister-republics to the American Union, or to extend our dominion over them, I do not concur in their policy; and I wish it to be understood, in reference to that subject, that I adopt the views entertained, so far as I know, by all my predecessors.

The principles by which I have been regulated in the negotiation of this treaty are in accordance with the sentiments well expressed by my immediate predecessor on the 10th of February, 1847, when he communicated to the senate the treaty with New Grenada for the protection of the railroad at Panama. It is in accordance with the whole spirit of the resolution of the senate of the 3d of March, 1835, referred to by President Polk, and with the policy adopted by President Jackson (immediately after the passage of that resolution), who despatched an agent to Central America and New Grenada "to open negotiations with those gov-

ernments for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as might undertake to open a communication between the Atlantic and Pacific oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing for ever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as might be established to compensate the capitalists who should engage in such undertaking and complete the work.

I also communicate herewith a copy of the correspondence between the American secretary of state and the British plenipotentiary at the time of concluding the treaty. Whatever honor may be due to the party first proposing such a treaty, justly belongs to the United States. My predecessor, in his message of the 10th of February, 1847, referring to the treaty with New Grenada for the protection of the Panama railroad, observes, that "should the proposition be rejected, we may deprive the United States of the just influence which its acceptance might secure to them, and confer the glory and benefits of being first among the nations in concluding such an arrangement upon the government of either Great Britain or France. That either of these governments would embrace the offer can not well be doubted, because there does not appear to be any other effectual means of securing to all nations the advantages of this important passage but the guaranty of great commercial powers that the isthmus shall be neutral territory. The interests of the world at stake are so important, that the security of this passage between the two oceans can not be suffered to depend upon the wars and revolutions which may arise among different nations."

Should the senate in its wisdom see fit to confirm this treaty, and the treaty heretofore submitted by me for their advice in regard to its ratification, negotiated with the state of Nicaragua, on the 3d day of September last, it will be necessary to amend one or both of them, so that both treaties may stand in conformity with each other in their spirit and intention. The senate will discover, by examining them both, that this is a task of no great difficulty.

I have good reason to believe that France and Russia stand ready to accede to this treaty, and that no other great maritime state will refuse its accession to an arrangement so well calculated to diffuse the blessings of peace, commerce, and civilization, and so honorable to all nations which may enter into the engagement.

ADMINISTRATION OF TAYLOR.

At the appointed time, Monday, March 5, 1849, the inauguration of General Zachary Taylor as president of the United States, took place, in front of the great portico of the capitol. The multitude of people assembled on the occasion from every part of the Union, for the purpose of witnessing the interesting ceremony, is supposed to have been much larger than was ever before collected in Washington. The weather, although the sky was clouded, was as pleasant as usual at this season of the year. At the break of day the strains of martial music resounded along the principal avenues of the city, and hundreds of national flags were unfolded to the breeze. The bells of the city then rang a stirring peal, and long before the usual hour of breakfast, the people were wending their way in immense masses to the capitol.

At nine o'clock, one hundred citizens who officiated as marshals on horseback, proceeded in a body to Willard's hotel, for the purpose of paying their respects to General Taylor. After the ceremony of introduction, the marshals retired to attend to their official duties, and the president elect, who was dressed in a plain suit of black, and in the enjoyment of his usual good health, returned to his apartments to prepare for the procession.

At half past eleven o'clock, the procession took up its line of march from the hotel to the capitol. The military of Washington, Baltimore, &c., who formed part of the procession, presented an imposing appearance. The carriage containing the president elect was drawn by four gray horses. Ex-President Polk, Mr. Speaker Winthrop, and Mr. Seaton, mayor of Washington, accompanied General Taylor in the carriage. Pennsylvania avenue, along which the procession passed, was thronged with thousands of people; many of the roofs of the houses were also covered, and every window was occupied by spectators. The time occupied by the procession in reaching the east front of the capitol was about an hour; and after the conclusion of the inaugural ceremonies, the booming of artillery resounded through the city.

The senate being convened at eleven o'clock, after prayer by the chaplain, the Hon. David R. Atchison, of Missouri, was chosen president *pro*

tem. The diplomatic corps, representing various foreign nations, were next announced. The brilliancy of some of their costumes appeared in fine contrast with the dark robes of the judges of the supreme court, seated opposite to them.

The late vice-president, Mr. Dallas, then conducted to the chair the Hon. Millard Fillmore, the vice-president elect, to whom the oath of office was administered by Mr. Atchison, after which Mr. Fillmore delivered, with calmness and dignity, an appropriate address, and took his seat as president of the senate.

At twelve o'clock, the members of the late executive cabinet appeared, and occupied places on the left of the vice-president.

All things were now in readiness for the appearance of the president elect, who, after an interval, entered the senate-chamber in company with Ex-President Polk, and took a seat which had been prepared for him; Mr. Polk occupying another upon his left hand.

After a brief pause the order of procession was announced, and the company retired from the chamber of the senate in the order prescribed, to the east portico of the capitol, where an extensive staging had been erected. At about one o'clock, the president elect, in full view of at least twenty thousand people from all parts of the Union, pronounced his inaugural address. It was delivered in a remarkably distinct voice, and many parts of it were enunciated with a full and clear emphasis, and enthusiastically responded to by the cheers of the surrounding spectators. As soon as the applause which marked the conclusion of the address had subsided, the oath of office was administered to the president by Chief-Justice Taney. The president then received congratulations from numerous persons present, Chief-Justice Taney and Ex-President Polk taking the lead.

The ceremonies at the capitol were terminated by salvos of artillery, and the president and the procession returned down the avenue leading from the capitol to the White-House, appropriated to the residence of the successive presidents of the United States. At this mansion the president received with his accustomed courtesy the salutes of some thousands of his fellow-citizens, and in the evening visited several balls given in honor of the occasion.

On the 6th of March, the president nominated to the senate the following gentlemen to compose his cabinet, and they were, the following day, confirmed by that body, viz.: John M. Clayton, of Delaware, secretary of state; William M. Meredith, of Pennsylvania, secretary of the treasury; George W. Crawford, of Georgia, secretary of war; William B. Preston, of Virginia, secretary of the navy; Thomas Ewing, of Ohio, secretary of the interior; Jacob Collamer, of Vermont, postmaster-general; Reverdy Johnson of Maryland, attorney-general.

These officers, with the exception of Mr. Crawford, who arrived from

Georgia a few days afterward, respectively took the oath of office and entered upon their duties on the 8th of March, 1849.

The home department, first organized under the administration of General Taylor, was a new branch of the government, created at the close of the last session of Congress under Mr. Polk's administration, and added another member to the president's cabinet. The head of the department is called the secretary of the interior, a term taken from the title of a similar functionary in the cabinet of the government of France. The act creating this new department, places under the supervision of the secretary of the interior, the bureau of the commissioner of patents; the general land office; the accounts of marshals, clerks, and other officers of the courts of law; the bureau of Indian affairs; the pension-office; the patent-office; the census-office; the commissioner of public buildings; and the board of inspectors and warden of the penitentiary of the District of Columbia. The bill was reported in the house of representatives by Mr. Vinton, of Ohio, from the committee of ways and means, in the 30th Congress, and, after it had been stated to the house that it was essentially the plan of the then secretary of the treasury, Mr. Walker, whose department was overburdened with business, and no better plan could be devised, it passed the house in February, 1849, being engrossed by a vote of 111 to 76. The senate took it up on the last afternoon of the session. Senator Allen, of Ohio, said it would be followed up next session by another bill for another hundred clerks. Mr. Webster heartily approved of it; the government had outgrown the means of performing its duties; the business was fast increasing; he did not know of a single clerkship that could be considered a sinecure. Mr. Niles, of Connecticut, considered the measure an improper enlargement of executive power and patronage. Mr. Mason, of Virginia, said: "You create fifty new offices where you diminish one. We progress in these respects, but we never go back." Mr. Calhoun, of South Carolina, called the measure monstrous and ominous, tending to the consolidation and concentration of power. Many hours of debate, marked by real ability, with six records of yeas and nays, ended in the passage of the bill, 31 to 25, late in the evening of the 3d of March, 1849. The home department was the first new branch of the cabinet which had been created since 1798, when the navy department was organized, under the administration of John Adams. The postmaster-general was not considered a member of the cabinet until the administration of General Jackson, although the department of the general post-office was organized under Washington's administration, in 1789.

At the extra session of the senate on the 5th of March, 1849, the president *pro tem.*, Mr. Atchison, of Missouri, being in the chair, the senators elect were requested to advance to the chair and take the oath prescribed for them, when fourteen senators, whose term commenced on the 4th inst., were qualified and took their seats. When the name of the Hon. James

Shields, of Illinois, was called, Mr. Walker of Wisconsin, rose and submitted a resolution to refer the credentials of Mr. Shields to the committee on the judiciary, with instructions to inquire into his eligibility. Mr. Berrien moved that, in order that the proceedings of the day might not be interfered with (the inauguration of the president) by the discussion to which that resolution might lead, its further consideration should be postponed till the following day; to which course Mr. Walker assented. On the 6th of March, two other senators elect having been qualified and taken their seats, the colleague of Mr. Shields, Mr. Douglass, asked, on behalf of the state of Illinois, that the oath might be administered to Mr. Shields. His credentials, he said, were in due form, and therefore those credentials entitled him to a seat in the senate upon precisely the same grounds as the senators who were admitted to their seats. The senate, he said, had no jurisdiction over Mr. Shields or the matter until he was admitted to his seat as one of its members. Mr. Douglass then adduced as precedents the cases of Mr. Gallatin and others, in which the parties had been sworn in, and the question of ineligibility discussed after they had taken their seats. Mr. Webster, Mr. Mangum, and other senators, thought the proper course to be adopted was to allow Mr. Shields to be sworn in at once. After some discussion this was agreed to; General Shields was then qualified and took his seat. On the 7th of March, Messrs. Benton, Felch, Mason, Webster, and Pearce, were appointed to inquire into his eligibility, and on the 13th they reported, through Mr. Mason, of Virginia, that James Shields had been elected by the state of Illinois on the 13th of January, 1849; that he had admitted that he was by birth an alien; that he was naturalized October 21, 1840; and that his election was void, as he lacked several months of being a citizen for nine years. The oath of General Shields, when naturalized, October 21, 1840, stated that he was born in Tyrone county, Ireland, May 17, 1810; came to the United States when a minor; and had resided in this country since he was 18 years old. The committee reported the following resolution: "That the election of James Shields to be a senator of the United States was void, he not having been a citizen of the United States the term of years required as a qualification to be a senator of the United States."

On the question being stated, viz., on the adoption of the resolution, General Shields rose and remarked, that there was no competitor to contest his seat; no memorial questioning his right to a seat in the senate. He had resided in Illinois 17 years; been a member of the legislature, an auditor, a judge of the supreme court of that state, commissioner of the general land-office, a general in the United States army, and even, for three days, governor of Oregon—offices requiring naturalization. The senator from Wisconsin (Mr. Walker), however, had a perfect right to do what no citizen of Illinois would have done; and he did not complain of the conduct of Mr. Walker. Perhaps it was his duty to do so. But the

question having been referred to an honorable, a talented, and an influential committee, General Shields said, he had made up his mind to remain entirely passive, to let the matter take its course, to submit to the decision of the senate, and to appeal to his own state. If she deserted him, he said, it was his intention (though he had endeavored to prove his fidelity to his country by every act of his life) never to offer himself again for office in the United States.

Mr. Mason said the committee were guided by the action of the senate in Mr. Gallatin's case. Gallatin was born in Geneva, Switzerland, 1761; emigrated to the United States in 1780; took the oath of allegiance to the state of Virginia in 1785; was elected to the senate from Pennsylvania in 1793: his seat was contested in 1794; and his election was declared void by a vote of 14 to 12 in the senate—because he had not been nine years a citizen.

Mr. Foote having moved the postponement of the question until the first Monday in December next, a long and interesting discussion took place, Mr. Douglass contending that the resolution of the committee had been based upon a wrong construction of the constitution. Mr. Webster held that the election was void, because the person upon whom the election fell was not competent to discharge the functions of the office that was intended to be conferred upon him; that is to say, to be a senator from the 3d of March, 1849, for six years. Now, if he could not be a senator from the 3d of March for six years, then he was not eligible for the senatorial term; and it might just as well be said that he might be elected when he had been a citizen six years, and await the lapse of three years before commencing his period of service, as it may be said that he may be elected and await the lapse of nine months. That proposition he considered so clear as to satisfy any gentleman on reflection. Mr. Calhoun said that nothing could be more certain than that if General Shields were not then a senator he could not become such by postponement. Mr. Calhoun said he should feel bound to vote for the resolution properly amended. His opinion was, that the resolution was not entirely correct. It would seem to conclude that all cases of election are void unless nine years shall have expired on the day of the election. "I think," said Mr. Calhoun, "that is not according to the constitution. My opinion is, that if the nine years are consummated previous to the 4th of March, the election is good and is not void. I propose, therefore, to add to the resolution the following words: 'at the commencement of the term for which he was elected.'" Mr. Webster assented to this construction, and hoped the amendment would be adopted. General Shields asked permission of the senate to tender his resignation. After a lengthened and animated discussion on the question of receiving the resignation, Mr. Hale, of New Hampshire, moved that the chair be instructed to inform the executive of Illinois that General Shields had resigned his seat in the senate, which

motion was postponed; the amendment of Mr. Calhoun to the resolution of the committee was adopted, and the senate refused, by a vote of 32 to 12, to adopt a motion made by Mr. Douglass, of the same tenor as the one offered by Mr. Hale, namely, requesting the vice-president to notify the executive of Illinois that General Shields had resigned his seat. The question was then taken on the resolution as amended, and it was adopted without a division, on the 15th of March, and a copy of the resolution was directed to be certified by the secretary, and transmitted by the vice-president to the executive of Illinois.

Thus the seat of General Shields was declared vacant, and the governor of Illinois, believing he had no power to fill it, made no appointment, but called the legislature together, which body again elected General Shields a senator of the United States, the nine years probation having expired.

On the 12th of March, Mr. Webster offered a resolution, which was adopted, that the president be requested to transmit any instructions which may have been given to the United States minister in London, offering a further extension of reciprocity and equality in the laws of navigation.

In introducing in the senate the resolution referred to in the proceedings of the 12th of March, Mr. Webster said that he offered it in consequence of information received by the very latest arrival from England. In the advices by the last steamer at Halifax, and transmitted by telegraph, it was stated that the president of the board of trade in England "had again brought forward the government proposal for the modification of the navigation laws; and Mr. Bancroft, the United States minister, had stated, that to whatever extent in liberality the British parliament may be disposed to legislate in this matter, he is ready and willing to sign a convention immediately, based upon the most complete reciprocity, so as to open the entire coasting trade of the two countries to the vessels of both nations." Mr. Webster said his object for the present was only an inquiry. If it were the pleasure of the senate to adopt the resolution, it might be answered before they finally adjourned. But if there were not an opportunity to receive an answer during the session of the senate, one part of his purpose would, at least, be accomplished, that of drawing the attention of the country to this most important subject. He confessed that he was a little startled to find that the American minister now remaining in England, had, at the present moment, and under existing circumstances, offered to throw open the whole coasting trade of the United States freely, and without discrimination, to British vessels.

If we enter into this reciprocity with Great Britain, and open to her the whole coasting trade of the United States, we are bound, of course, to do the same thing to the ports of the north of Europe. It would be well for us to consider the experience we have had, since we opened the trade between ourselves and certain powers of Europe and America to the ships

and vessels of third parties. And it will become us to see how far the interference of ships and vessels of the northern part of Europe, for example, in the trade between the United States and Brazil, has lessened or increased the interests of ships owned in the United States, and all those concerned in navigation.

The coasting trade proper, Mr. Webster said, between England and her European dominions, was infinitely small, compared with the coasting trade of the United States. The coasting trade of the latter employs the greater part of the tonnage of the United States; and that trade, as it is, and is to be hereafter, will employ our shipping in voyages, some of which will be the longest prosecuted on the globe. They will be voyages from the Atlantic cities, around Cape Horn, to Oregon and California. If any proposition, as it seems has been suggested, should be adopted by the government of the United States, it would follow that all the products or manufactures of the United States might be carried in British or other foreign ships from Boston or New York, not only to New Orleans, but round the cape to our own ports on the Pacific, as freely as they might be carried in our own vessels. His object was merely to ascertain whether it was true that our minister to England had been authorized to enter into a convention which would uproot, substantially, the principles of our navigation laws as they have existed for sixty years. The subject well deserved the attention of the country.

After the transaction of the executive business of nominations to office before them, the senate adjourned on the 21st of March.

On the 12th of March, President Taylor, surrounded by his constitutional advisers, received the salutations of the representatives of foreign governments at Washington, on the occasion of his accession to the chief magistracy. The whole number of the members of foreign legations present was thirty-two, all in their official costumes.

The address on behalf of the diplomatic corps, was delivered by the oldest member of that corps present, General Don Carlos Maria De Alvear, minister plenipotentiary and extraordinary of the Argentine confederation, in the following terms:—

“MR. PRESIDENT: The diplomatic corps accredited to the government of the United States, has the honor, through me, to express to you, the chief magistrate of this republic, their sincere congratulations on your recent election to the presidency, which, they are profoundly convinced, will redound to the honor and happiness of the great people over whom you have been called to preside; and that those relations of peace and friendly intercourse which now so happily exist between the United States and the various countries which we have the honor to represent, will be preserved and perpetuated, to the mutual advantage and well being of all. And you may be well assured, sir, that nothing shall be wanting on our part to contribute to so desirable a result. We take advantage of this occasion,

Mr. President, to express to you our most cordial wishes for your health and happiness."

To which address the president replied: "GENTLEMEN: I accept, with lively satisfaction, the congratulations which you have been pleased to tender to me upon this occasion. You may be assured that it shall be my undeviating endeavor to cultivate with the nations which you respectively represent, the most cordial relations of amity and good will. In this I shall be guided by the cardinal policy of this government, and, I doubt not, cheered by your kind and zealous co-operation.

"Permit me also to offer to you, individually, my best wishes for your welfare."

The president was then presented individually to the gentlemen composing the corps, exchanging salutations with them in his usual cordial manner.

On Monday, March 19th, at three o'clock, P. M., M. Bodisco, the minister from the emperor of Russia to the president of the United States, with his two secretaries—not having been able to attend at the general reception of the diplomatic corps—was received by the president, to whom he made the following address:—

"MR. PRESIDENT: Remarkable military deeds, accomplished amid difficulties, and enhanced by great modesty, have brought to the knowledge of the American people your high qualifications. Your energy and your wisdom have been deservedly appreciated, and magnificently rewarded, by the supreme magistracy to which the choice of a great nation has elevated you. The conservative principles you have proclaimed, and the assurances you have given, will be everywhere accepted as pledges of peace; and all interested in the welfare of the Union must sincerely wish that the success of your administration should completely correspond to your good intentions and devotion to your country.

"The emperor, my august master, taking a permanent interest in the welfare of the United States, has learned, with great satisfaction, that the national decision has called to the presidency a citizen so distinguished for his eminent qualities and his great integrity.

"The firm and honorable policy of the emperor, the benevolence and purity of his intentions, give great facilities to his ministers, in their relations with the governments to which they are accredited. I am, Mr. President, highly gratified to be able to add, that my official intercourse has always been perfectly satisfactory. The successive administrations, during the time of my residence in Washington, have uniformly shown me the kindest dispositions, and I have constantly found that they were equally anxious to insure the continuation of the excellent relations so happily existing between Russia and the United States. I am convinced, Mr. President, that those friendly relations will receive a stronger impulse under your auspices; and you will permit me to assure you that I really wish to render myself worthy of your confidence."

The president responded in the following terms.—

“SIR: The desire which you have expressed, to render yourself worthy of the confidence of this government, can not fail to be realized, if your future career shall correspond to your past conduct. During the long period for which you have been accredited at Washington, you have formed ties and associations in our country which have given you an interest in its continued and increasing prosperity; and you have secured the friendship and affection of the social circles in this district, while the confidence of your august sovereign has been the merited reward of your fidelity to the true honor and interests of Russia. It shall be my study to cultivate and strengthen the friendly relations between the United States and Russia—relations which have hitherto been cemented by mutual good offices, and which I hope may ever remain unimpaired. It requires no prophetic eye to discern that a mutually-beneficial intercourse is destined, and perhaps speedily, to arise between the territories of our respective nations, which border on the Pacific.

“Thanking you, sir, for the kind allusions you have been pleased to make touching myself personally, I welcome you most cordially, as a gentleman with whom official relations will be made agreeable by the courtesy of his deportment, and as the representative of a great nation, on terms of the most friendly intercourse with my country.”

Among the earliest subjects which required the attention of the new administration, was the consideration of applications for office, which were numerous and urgent from the adherents of the successful party, from various parts of the Union. Although a general removal of persons appointed to office under the administration of Mr. Polk was not immediately resolved upon, yet the president and cabinet perceived that a very general change was expected, not only in the appointments of ministers and consuls to foreign countries, and other important offices in the domestic relations of the country, but in the minor and less responsible offices connected with the different departments of the government, including those under the control of the postmaster-general. To relieve the president from the labor, care, and embarrassments of personal applications to him for office, as had been practised under democratic administrations, it was determined by General Taylor and his cabinet, that all applications for office should be referred to the departments to which they respectively belonged, and after being considered by the head of such department, that the decision on the subject should be made at a meeting of the president and cabinet—after which the nomination should be made by the president, if during the recess, and the commission issued; the person so appointed then to enter on his duties, until the final action of the senate on his nomination took place.

Under these circumstances, numerous appointments to office were made by the president and cabinet, during the recess of the senate, and were

very generally confirmed by that body at the next meeting of Congress, although much dissatisfaction was felt by the democratic party, and expressed by the newspaper presses opposed to the administration. It was argued, that General Taylor having avowed his independence of party connections on his nomination to the presidency, he had consequently received a large democratic support at the election, and that it was not, therefore, generally expected by the people that an entire removal of democrats holding office under the general government should take place. A different construction of the president's position, however, was made by the cabinet and the whig press; they claimed that General Taylor was elected as a whig, and that the people had given him full power by the election to sustain his administration by the appointment of his friends to office. Removals and appointments, therefore, continued to be made from time to time, although the change was not complete, many democrats being suffered to remain in office, particularly in those of minor consideration.

It soon became evident that whatever course the administration of General Taylor might pursue with regard to appointments to office, it would not be sustained by a majority in the national legislature. The senate, at its meeting on the 5th of March, to act on executive business, was ascertained to have a decided majority against the administration, and notwithstanding the favorable indications at the elections of members of the house of representatives, in 1848, and previous to the presidential election, the representatives elected to the 31st Congress after the accession of General Taylor to the presidency, during the year 1849, showed the probability of an opposition majority in the house, when they should assemble in December of that year.

There were various causes which operated to prevent the administration from being sustained by a majority in Congress. In the first place, the great personal popularity of General Taylor in consequence of his military achievements, and the great confidence felt in his character for integrity, it was evident, could not be extended to other persons with whom he was politically connected. Secondly, there were but few points of difference between the two great parties of whigs and democrats sufficiently distinct to animate and call out the voters in full force in the struggle for power. Various measures, once deemed important, had become obsolete ideas, and others were supported or opposed by men of both parties. Leaving out of view the dissatisfaction at first felt by many of the friends of Mr. Clay and other presidential candidates in 1848, at the nomination of General Taylor in preference to old and long-tried whigs, the elections for members of Congress showed that the people were not anxious to sustain the president by a majority of his political friends in the legislative branch of the government. It was also proved by the elections, that the appointments to office and other transactions of the cabinet had done

nothing to strengthen their power and establish their influence and popularity. The president and his cabinet therefore found themselves, in a short time after their accession to power, in a novel and embarrassing position, and they awaited the ensuing meeting of Congress doubtless with much anxiety. Previous administrations had been sustained by a majority in Congress, but that of General Taylor seemed certain of encountering an opposition majority in the senate, while the house of representatives, composed of three distinct parties, had a doubtful aspect in advance. The third party was composed of those who were called "Free-Soilers," advocating the application of restrictions on slavery by the acts of Congress organizing new territories.

It seems appropriate in this place to offer a few remarks on appointments to office, by the general government, and in doing so we shall partially adopt the language of a writer in a leading political review. In every stage of its existence since the adoption of the federal constitution, in 1789, the American government has been sustained by political parties, and the measures adopted by successive administrations have generally been of a party character. We shall assume it to be a rule established and certain, that offices of political responsibility, or that carry with them a weight of political opinion, for the impeding or accomplishing the measure of the party in power, should be filled by men of that party. For the same reason that the majority of a state legislature will send only such a senator as will truly represent their opinion, it is necessary for a president to choose such persons to be members of his cabinet as will represent the opinion of the party. It were clearly an absurdity to do otherwise; it would be a defeating of the design of the constitution, which intends that the majority of opinion shall have its way. That offices of responsibility, or in other words, such offices as enable their incumbents to operate *ex officio* upon the opinion of the people, or to thwart or execute the laws, according to their pleasure or displeasure—that such offices should be filled by the appointment of members of the ruling party is, we think, most necessary; for if it is provided by the constitution that the majority should shape the conduct of the government, it is also provided, by necessity, that those only should be appointed to execute them, by whom we are most sure they will be fully and willingly executed. From this point of view it appears just, and even constitutional, that the entrance of a new party into power should be followed by an ejection of all from office who were the originators, supporters, and executors, in a moral sense, of the measures of the displaced party. The important officers chosen by the people have been changed by the people, and the old incumbents ejected; and it is equally necessary that all important offices which carry with them a representative influence, bearing upon opinion, and the character of whose incumbents confirms or impairs, by official influence, the prevailing party, should be also ejected. Inde-

pendently, therefore, of all theories of a rotation in office ; of that political expediency which stimulates the canvasser with the hopes of office ; independently, also, of all arguments that look to the effect of office-holding upon the characters of men ; we hold it to be a necessity created by the nature of our government, that the change of rulers accomplished by the votes of the citizens should be followed by a change in the character of the government itself. That this change should be sufficiently, but not more than sufficiently, extended for the complete establishment of the party, and the accomplishment of all its measures, during the four years of its probation. What these offices may be, can be known only by experience. It might not seem, at first view, to be a matter of the least importance whether the cabinet should be of one mind on the leading questions of policy ; and yet experience has shown that their unanimity on all important measures is necessary for the efficient conduct of the government.

In a word, every office of political importance, or that confers a power to impede or favor the execution of the laws, or that has any executive responsibility to be exercised for or against the measures of the majority, must necessarily be filled by members of the prevailing party. The filling of the elective offices with that party by the people, gives them a liberty of carrying out the popular will by filling appointments with the same. The purpose of the popular election was to give the supporters of a certain system of policy and economy a fair opportunity of trying it. The majority judged that it should be tried. But if the opinion of the majority prevails at all, it should prevail entire, or it is of no force. Half measures, or impeded measures—impeded by the personal opposition of members of the government, would not answer the end ; when a party is in power, it must instate itself to the full, and rely upon the full efficacy of its policy to secure the favor of the nation, and not upon any compromises, or bribes to influential persons, who, in the end, would certainly thwart and traverse the measures of a government which they despise.

The foregoing argument, however, is not intended to be considered as making concessions to those who advocate a system of rotation in office. It is implied by the doctrine of rotation, that the office is created for the convenience and benefit of its incumbent, and not for that of the citizens at large. And because it were improper to favor one man more than another, therefore each man must at some time in his life enjoy an office.

Let us suppose, for a moment, that offices are in fact created for the benefit of those who hold them, in the nature of pensions and annuities ; unless they are equally distributed among all, they are converted into the most odious of monopolies. Some persons look upon offices as they do upon pensions and annuities, as benefits created for those who hold them, and they very justly conclude that these benefits should be enjoyed in rotation ; but when it is perceived that offices are not established for the benefit of their incumbents, the idea of a right to office, or a term in office,

vanishes quite away. It is then only necessary to inquire by what system of appointments the performance of official duties will be best secured; the offices being established for the public benefit, and not for the convenience of office-loving citizens.

The president and cabinet, on coming into power, besides the subject of appointments to office, found many other matters claiming their prompt and earnest attention. The foreign relations of the United States were generally in a favorable position, but there were some diplomatic arrangements which are referred to in the first annual message of General Taylor, that received the consideration of the new administration, and such action as, in the judgment of the executive, was demanded by the various exigencies of the occasion. Congress having failed at the previous session to provide territorial governments for California and New Mexico, the president was left to act under the treaty with Mexico, by which those territories had been ceded to the United States, and both remaining under a military government placed in power by the late administration.

It was decided by the president not to disturb the arrangement made under his predecessor, Mr. Polk, and therefore he did not interfere with the powers of the military commandant in California, who continued to exercise the functions of civil governor as before. The president also sent the honorable Thomas Butler King, of Georgia, as bearer of despatches to California, and certain officers to California and New Mexico, whose duties were defined in letters of instruction from the executive, who also expressed his desire that each territory, if prepared to comply with the requisitions of the constitution of the United States, form a plan of a state constitution, and submit the same to Congress, with an application for admission into the Union as a state. A claim had been advanced by the state of Texas to a very large portion of the territory commonly designated by the name of New Mexico. The question of the boundary between these two sections of the country gradually assumed a serious aspect, as Texas insisted upon her right to extend her jurisdiction over a considerable portion of New Mexico, the inhabitants of which were unwilling to be separated from the territory to which they had always considered themselves as belonging. Nothing satisfactory, however, could be done by the national executive, but a military force was maintained in New Mexico, to preserve tranquillity until the boundary question could be settled by the action of Congress.

The new territory of Oregon was organized according to the act of Congress under the administration of Mr. Polk. A new governor and other officers, including Indian agencies, were appointed for that territory, by President Taylor, and measures were taken to complete the coast survey of Oregon and California, and the construction of lighthouses authorized by Congress on the former coast was commenced.

The great mineral wealth of California, particularly the abundance of

gold found on the streams which water that territory, attracted to the shores of the Pacific large bodies of adventurers. The commercial importance of San Francisco and other ports of California soon became apparent, and imposed new duties on the government. The mines discovered being principally on the public lands belonging to the United States, geological and mineralogical surveys were made by the officers attached to the corps of engineers, and plans were devised by the government agents for the protection of persons engaged in mining, but it was evident that nothing effectual could be done in that way until a regular government was organized in the territory. A large proportion of the emigrants to California passed thither from the Atlantic states by sea around Cape Horn, or by the isthmus of Panama, or through Mexico, but large numbers of settlers from the western states, migrating to Oregon and California, made the journey over land, across the Rocky mountains. The latter required protection from the hostile Indians always to be found traversing the immense wilds of North America between the waters of the Mississippi valley and those flowing into the Pacific. To protect these emigrants and the greatly-extended frontier of the United States, required the constant attention of the government, and imposed new duties on the military department. Intense application to important business, therefore, was imposed upon the executive and his new cabinet, which was only interrupted on the part of the president by a visit during the summer of 1849, to the interior of Pennsylvania and New York. After a few weeks he returned, in feeble health, to his duties at Washington.

The first session of the 31st Congress commenced on Monday, the 3d of December, 1849, and continued until the 30th of September, 1850, a period of 302 days, or about ten months, being the longest and most exciting session which had been held since the organization of the government. The opposition to the administration had a decided majority in the senate as well as in the house of representatives, but in the latter body a part of the opposition consisted of "free-soil" men, principally democrats, who had been elected by that portion of the people who considered the restriction of slavery in the new territories as a paramount question. The free-soilers were few in number, but sufficient to hold the balance of power between the whigs and democrats in the house of representatives.

Precisely at the hour of twelve, meridian, the house was called to order by Thomas J. Campbell, clerk of the house of representatives of the 30th Congress. The roll having been called, it appeared that 223 members had answered to their names—the whole number of the house when full being 231. The published lists of the members elect divided them thus: whigs 105; democrats 112; free-soilers 13; and one vacancy in Massachusetts. The clerk having announced that a quorum was present, Mr. Boyd, of Kentucky, moved that the house do now proceed to the

election of a speaker *viva voce*. No objection being made, and tellers being appointed by the clerk, the house proceeded to vote for speaker. The roll having been called in alphabetical order, the following was declared to be the result:—

Howell Cobb, of Georgia (democrat), 103; Robert C. Winthrop, of Massachusetts (whig), 96; David Wilmot, of Pennsylvania (free-soil democrat), 8; Meredith P. Gentry, of Tennessee (whig), 6; Horace Mann, of Massachusetts (free-soil whig), 2; Mr. Cleveland, of Connecticut (democrat), 1; Mr. Seddon, of Virginia (democrat), 1; Mr. Orr, of South Carolina (democrat), 1; Mr. Disney, of Ohio (democrat), 1; Mr. Root, of Ohio (free soil), 1; James Thompson, of Pennsylvania (democrat), 1: total number of votes 221—of which 111 were necessary to a choice. Mr. Cobb, opposition candidate, therefore fell short 8 votes, and the administration candidate, Mr. Winthrop, was 15 votes short, of an election. There were 5 democrats, it will be perceived, who declined voting for the former, and 6 southern and 2 northern whigs who refused to vote for Mr. Winthrop, exclusive of the regular vote of the free-soilers. The 6 southern whigs refused to vote with their party for speaker without a distinct committal against the Wilmot proviso restricting slavery in the territories acquired from Mexico. This could not be conceded by the whigs, and Mr. Winthrop was steadily voted against by a few southern whigs on one side, and anti-slavery men elected by whig votes on the other, while the democrats were unable to concentrate the entire vote of their party on Mr. Cobb. Four unsuccessful attempts to elect a speaker took place the first day, when the house adjourned until the following day. A protracted contest then took place, parties continuing to vote nearly the same, as to candidates, for some days, when Mr. Cobb's name was withdrawn, and other candidates tried by the democrats without success; but finally, on the 11th of December, showing a disposition on the 39th vote to unite on Mr. William J. Brown, of Indiana. Mr. Brown having received 109 votes and Mr. Winthrop 101 (and there being 16 scattering votes), the latter gentleman thanked his friends cordially for their support, and withdrew his name as a candidate for speaker. On the following day, a coalition having been nearly completed between the democrats and free-soilers, Mr. Brown received on the fortieth vote 112 votes against 114 for other candidates, of whom no one received over 26 votes.

Mr. Stanly (whig), of North Carolina, then offered a resolution, that three democrats and three whigs be appointed to confer as to the choice of proper officers of the house. He made a few remarks on the subject, which were replied to by Mr. Bayly (democrat), who, among other remarks, observed, that "the bitter fruit which we are tasting is the legitimate fruit of the tree which the gentleman's party has planted and fostered." This he attributed to the doubtful position which the president elected by the whigs occupied in reference to an absorbing and exciting

question of public policy, overriding all others, and sectional in its character—alluding to the subject of slavery, and the restrictions proposed to be imposed upon its extension into the new territories. The democratic party, Mr. Bayly said, certainly were not responsible for the result. In reply to an insinuation by Mr. Stanly, that something improper had taken place between the democratic party and the free-soilers, Mr. Bayly said: "I am rejoiced that the gentleman has made the remarks he did. It enables us to brand the rumor, in the outset, as it deserves. It is hardly necessary for me to say that it has no foundation in truth."

Mr. Ashmun (whig), of Massachusetts, then asked Mr. Bayly if a correspondence had not taken place between the member from Indiana (Mr. Brown) and some member of the free-soil party, in which he had pledged himself to constitute the committees in a manner satisfactory to them. Mr. Bayly said he knew of no such correspondence; and turning to Mr. Brown, he said, "Has any such correspondence taken place?" Mr. Brown shook his head, and Mr. Bayly said: "I am authorized to say that no such correspondence has taken place. The house is in a condition in which it is impossible for it to be organized unless the free-soilers vote with one of the great parties composing it. Suppose they had offered to vote with the gentleman, would he have spurned their support? Or would he have considered it would have been quite right in us, in such a contingency, to have imputed an improper combination to them? We must be judged of by the character of the great body of our party, and not of those who are accidentally thrown with us."

Mr. Bayly subsequently said, that since he was last up he had held a conversation with Mr. Brown. "I was mistaken in saying that no correspondence had taken place between him and the free-soilers. A correspondence has taken place; but in that he assures me that he had refused to pledge himself; and had said no more than that, in forming the committees he would place the members of that party in such positions as their standing in the house and country would seem to him to make proper. But the correspondence will be produced, and it will speak for itself." Mr. Brown, of Indiana, being called upon, made an explanation to the house of his course and position. Among other matters, he stated that all the free-soilers had asked was that the committees on the District of Columbia, on the judiciary, and on the territories, should be so constituted as that every section of the Union might be fairly represented—the Wilmot proviso men and the anti-Wilmot proviso men. He had stated to these gentlemen that he would so constitute these committees as that all sections of the Union should be represented. This much he had stated, and by that position he would abide now.

Mr. Wilmot, of Pennsylvania, the leader of the free-soilers, addressed the house, stating the substance of his conversation with Mr. Brown. He had also addressed a note to that gentleman, asking him whether, if elected

speaker, he would so organize the committees as to be satisfactory to himself and friends. From the verbal conversations which he had held with Mr. Brown, Mr. Wilmot said, he had reason to believe that a majority of these committees would be composed of fair northern men.

After some conversational remarks between various members, Mr. Brown read to the house a copy of his letter to Mr. Wilmot, in the following words :—

“WASHINGTON, *December 10, 1849.*

“DEAR SIR : In answer to yours of this date, I will state, that should I be elected speaker of the house of representatives, I will constitute the committees on the District of Columbia, on territories, and on the judiciary, in such manner as shall be satisfactory to yourself and your friends. I am a representative from a free state, and have always been opposed to the extension of slavery, and believe that the federal government should be relieved from the responsibility of slavery, where they have the constitutional power to abolish it. I am yours truly, “W. J. BROWN.

“HON. DAVID WILMOT.”

The letter of Mr. Wilmot to which the foregoing was a reply, is as follows :—

“*December 10, 1849.*

“DEAR SIR : In the conversation which I had with you this evening, you were free to say, that if elected speaker of the house of representatives, you would constitute the committees on territories, on the judiciary, and the District of Columbia, in a manner that should be satisfactory to myself and the friends with whom I have had the honor to act. I have communicated this to my friends ; and if, in reply to this note, you can give them the same assurance, they will give you a cheerful and cordial support. Respectfully yours,

“D. WILMOT.”

Mr. Brown further explained to the house, and said that “he was no sectional man ; and, as God was his judge, if he had been chosen speaker of this house, he would have constituted the committees in such a manner as to give satisfaction to both the north and the south. He would have upon these committees the ablest men, from both the north and the south.” Tendering his earnest and sincere thanks to his friends for the manner in which he had been sustained, he withdrew his name as a candidate. He said, further, that he would scorn to occupy the chair under circumstances in which his action was liable to misrepresentation. “I have always,” said Mr. Brown, “opposed the agitation of this question. I look upon slavery as one of the compromises of the constitution. I will stand by that institution, and sustain it as guaranteed by the constitution of the United States. And I am gratified that I have it in my power to say, that I represent, in part, a state which will do the same thing.”

Mr. Bayly, of Virginia, said : “Had I known of the existence and character of the correspondence which has just been read, and of the in-

interviews preceding it, no earthly consideration would have induced me to vote as I did. I thought the insinuations made by the gentlemen from North Carolina and Massachusetts, when they made their remarks, unfounded and illiberal; but I rejoice now that they were made, and I thank them for them. They have led to a disclosure to which the country was entitled; and it has been made in time, thank God, to save us from a load of obloquy."

Mr. Brown was defended by his colleague, Mr. Dunham, after which the house adjourned. On the following day various propositions were made to bring about an election of speaker, but nothing was agreed upon, and the house proceeded to vote the 41st time, 224 members voting for speaker, but no candidate receiving over 59 votes, that number being given to Mr. Winthrop and 40 to Mr. Cobb. The house continued to vote and debate from day to day until the 22d of December, when, after 59 unsuccessful attempts from the first vote on the 3d of December had been made, to choose a speaker, the following resolution, offered by Mr. Stanton (democrat); of Tennessee, was adopted, by a vote of 113 to 106:—

"*Resolved*, That the house will proceed immediately to the election of speaker, *viva voce*; and if, after the roll shall have been called three times, no member shall have received a majority of the whole number of votes, the roll shall again be called, and the member who shall then receive the largest number of votes, provided it be a majority of a quorum, shall be declared to be chosen speaker."

The house then proceeded to vote three times unsuccessfully for speaker. On the last vote, 111 being necessary to a choice, Mr. Winthrop and Mr. Cobb each received 97 votes, and there were 27 scattering. Thereupon a final vote was taken, it being the 63d time from the commencement, and the following was the result: for Mr. Cobb, 102; Mr. Winthrop, 99; Mr. Wilmot (free soil), 8; and there were 12 scattering votes (viz., 5 whigs, 6 democrats, and one free soil): total, 221 votes.

Mr. Cobb, the democratic candidate, having received a plurality, on motion of Mr. Stanly (whig), of North Carolina, it was resolved, "That the Hon. Howell Cobb, a representative from the state of Georgia, be declared duly elected speaker of the house for the 31st Congress—which resolution was adopted by a vote of 147 to 34. Mr. Cobb was then conducted to the chair by Mr. Winthrop, of Massachusetts, and Mr. McDowell, of Virginia, and made his acknowledgments in a suitable speech.

The house having been organized by the election of speaker, the president's message was received on the 24th of December, three weeks after the day that Congress had assembled. After another tedious and protracted contest in the election for clerk of the house, Thomas J. Campbell, the whig candidate, was elected on the 20th trial, receiving 112 votes against 109—several democrats voting for him, to end the controversy.

After Congress had been completely organized by the election of its

officers, a vehement and protracted struggle commenced with regard to the organization of the new territories, the admission of California, and the boundary between Texas and New Mexico, all of which subjects were connected with the agitation of the question of the extension of slavery.

The senate formed a quorum on the 3d of December, when the vice-president, Mr. Fillmore, took the chair. Mr. Clay, of Kentucky, who had been re-elected, and Mr. Shields, of Illinois, who had been again chosen by the legislature of that state, were present, and being qualified took their seats.

On the 21st of January, the president, in answer to a resolution of the house of representatives, transmitted a special message on the affairs of California and New Mexico, stating that he had advised the people of those territories to form state constitutions, and submit the same to Congress, with a prayer for admission into the Union. He also stated the difficulties with Texas respecting the boundary between that state and New Mexico; and that the people of the western part of California had formed a constitution which they would submit to Congress, and the president urged it upon their consideration. The proposed state was called Deseret by the inhabitants, but it was afterward organized as a territory under the name of Utah.

The president's plan of adjusting the difficulties between the north and south, on the subject of slavery, made no provision for the settlement of the boundary of Texas, which state claimed to include most of the people of New Mexico and her entire territory east of the Rio Grande, within the former's limits and rightful jurisdiction. To this assumption the people of New Mexico manifested the most determined and active hostility.

The people of California, having held a convention for that purpose, had adopted a state constitution, which the president transmitted to Congress on the 13th of February, and the question of its admission into the Union was among the earliest subjects under debate in both houses. Previously, namely, on the 16th of January, Mr. Foote, of Mississippi, had presented in the senate a bill "to provide for the organization of a territorial government in California, Deseret, and New Mexico, and to enable the people of Jacinto, with the assent of Texas, to provide a constitution and state government, and for the admission of such state into the Union, upon an equal footing with the original states, in all respects whatever." The same subject came up as the order of the day on the 22d, and was debated at great length. On the 29th of January, Mr. Clay presented a series of resolutions as a basis of compromise to settle the various questions agitated in Congress relative to the restriction of slavery—providing for the admission of California into the Union as a state; the formation of territorial governments in other parts of the territory

acquired from Mexico ; fixing the boundary of Texas and New Mexico ; proposing to Texas to pay off her debt contracted prior to annexation to the United States ; declaring that it is inexpedient to abolish slavery in the District of Columbia while that institution exists in Maryland, without the consent of that state and that of the people of the district, and without just compensation to the owners of slaves within the district ; declaring that it is expedient to prohibit the slave-trade in the district ; that more effectual provision ought to be made by law for the restitution of fugitive slaves ; and that Congress has no power to prohibit or obstruct the trade in slaves between the slaveholding states. These resolutions were supported and explained by Mr. Clay, in an elaborate speech, which was replied to by Mr. Calhoun, of South Carolina, and other senators from the south, in opposition, also by Mr. Seward, of New York, and other northern senators, who opposed the resolutions as conceding too much to the slaveholding interest. Mr. Webster, of Massachusetts, sustained the plan of compromise. In allusion to the project of disunion, he scouted the idea of peaceable secession. Secession there might be, but it would be revolution. He said that any scheme proposed by southern gentlemen for the mitigation of the admitted evils of slavery, would meet with his full consent and hearty concurrence.

Governor Brown, of Florida, having been asked by the Florida delegation in Congress to use his official authority in organizing a plan of representation for that state in a convention of delegates from the slaveholding states at Nashville, Tennessee, in reply disclaimed all authority for that purpose. He considered such a convention as revolutionary in its tendency, and directly against the spirit of the constitution of the United States.

On the 31st of March, John C. Calhoun, a senator from South Carolina, died at Washington, being a few days over 68 years of age. He had been for some time in declining health, and the excitement of the recent events in Congress proved too much for his undermined constitution. Mr. Calhoun had occupied a conspicuous position in public life for nearly half a century, successively occupying the stations of a member of the legislature of his own state ; a representative in Congress ; secretary of war in Monroe's administration ; vice-president of the United States ; a senator from South Carolina ; secretary of state in the cabinet of John Tyler ; and again United States senator—in which station he remained until his death.

On the 12th of April, Mr. Campbell, clerk of the house of representatives, died, and on the 15th the speaker announced the event to the house, which adopted resolutions of respect for his memory. On the 16th the house proceeded to the election of a clerk, and on the 17th Richard M. Young, democrat, was chosen, receiving 96 votes against 92 for other candidates. Mr. Young had some years previous been a United States senator from Illinois.

Mr. Crawford, secretary of war, made a communication to the house of representatives on the 3d of April, asking an investigation into his conduct in relation to a claim of the representatives of George Galphin, which claim had been adjudicated at one of the departments of the government, and was attracting public attention. On motion of Mr. Toombs, of Georgia, the subject was referred to a select committee of nine members, to be appointed by the speaker.

This Galphin claim was an affair of long standing against the government, but had been finally passed upon by Congress, and paid by the secretary of the treasury, with interest, the opinion of the attorney-general being given in favor of payment of principal and interest. The amount had been paid to Mr. Crawford, since he had been a member of the cabinet, he being one of the parties interested in the claim. The objection to this settlement of the claim, by a large portion of the public and in Congress was, that Mr. Crawford had made use of his position as a member of the cabinet to obtain payment of an unusually large amount, principal and interest, the interest being dwelt upon as most objectionable. The select committee reported a statement and resolutions on the 17th of May, the latter declaring that the claim was not a just demand against the United States—that the act of Congress made it the duty of the secretary of the treasury to pay the principal; but that the act did not authorize the secretary to pay the interest on said claim, and the latter was, therefore, not in conformity with law or precedent. A minority report was also presented, declaring that the payment of both principal and interest of the claim had been in conformity to law and precedent.

Protracted debates took place on this matter, but it remained undecided until the 24th of September, when Mr. Crawford sent another communication to the house, asking, as the payment of interest was a judicial question, that legal proceedings should be instituted against him. A joint resolution directing the president to cause such suit to be brought against Mr. Crawford, in the circuit court of the district of Georgia, passed the house of representatives by a vote of 142 to 20, but the following day was laid on the table in the senate, by a vote of 27 to 25; and thus the matter terminated for the session.

On the 25th of February, Mr. Foote, of Mississippi, moved that the subject of territorial governments for California, Deseret (or Utah), and New Mexico, be referred to a select committee of thirteen, with instructions to take upon themselves the duty of endeavoring to procure a compromise embracing all the questions now arising out of the institution of slavery. This resolution was taken up, and discussed from time to time, but was not finally disposed of until the 18th of April, when it was adopted by a vote of 30 to 22—the resolutions of compromise offered by Mr. Clay, of Kentucky, and others by Mr. Bell, of Tennessee, being also

ordered to be referred to the same committee, who the next day were chosen by ballot, and Mr. Clay elected chairman.

On the 8th of May, Mr. Clay, from the select committee, reported a plan of compromise in a series of bills, the first to admit California as a state, to establish territorial governments for Utah and New Mexico, and making proposals to Texas for the establishment of her boundaries; second—a bill to provide for the recovery of fugitive slaves; and third—a bill abolishing the slave-trade in the District of Columbia. These compromise measures led to a long series of debates, but they were all rejected on the 31st of July, by striking out all the material parts except the proposition to establish a territorial government in Utah.

Another course was then adopted, and on the 2d of August the senate, by a vote of 30 to 22, passed a bill introduced by Mr. Pearce, of Maryland, to settle the boundary of Texas, and to pay that state ten millions of dollars in consideration of reduction of boundaries, cession of territory, and relinquishment of claims against the United States. Other measures of compromise easily followed. A bill for the admission of California as a state, passed the senate on the 13th of August—34 to 18; on the 15th, a bill for providing a territorial government for New Mexico also passed; and subsequently, in September, a fugitive-slave bill, and a bill for the suppression of the slave-trade in the District of Columbia, also passed the senate, the former by a vote of 27 to 12—the latter by 33 to 19. These bills all passed the house of representatives during the month of September, and receiving the signature of President Fillmore, became laws. The vote in the house, on the Texas boundary bill, was 108 to 98; on the bill for the admission of California, 150 to 57; on the Utah bill, 97 to 85; on the fugitive-slave bill, 109 to 75; on the act to suppress the slave-trade in the District of Columbia, 124 to 59. The Texas boundary bill from the senate was amended in the house, by providing for the territorial organization of New Mexico, and in that shape was concurred in by the senate. The constitution of California, framed by a convention of the people of that state, prohibited slavery; which prohibition was of course recognised by the act of Congress admitting the state into the Union. The bills providing for the territorial governments of New Mexico and Utah left the question of slavery open for future decision.

In the month of June, a convention of delegates from the slaveholding states was held at Nashville, Tennessee, and adopted sundry resolutions on the slavery question; presenting two alternatives for the settlement of the controversy, viz., the early enactment by Congress of such laws as may be necessary and expedient to secure to the slaveholder wishing to emigrate to the territories with his slaves, his rights of ownership in them; or a partition of the territories between the slave and free sections of the country, on the basis of the Missouri compromise line (36° 30' north latitude).

In the midst of the exciting debates in Congress, and when the public anxiety was at its height respecting the agitation of the slavery-extension question, the troubles in Texas respecting the boundary with New Mexico, and the application for the admission of California into the Union, the nation was startled with the melancholy tidings of the death of General Taylor, president of the United States. In our memoir of the president, we have stated the particulars of his death, which took place on the evening of the 9th of July. This event was officially announced by Mr. Fillmore, the late vice-president, who, by the constitution, immediately succeeded to the presidency, in a message to both houses and in the following communication to the senate:—

“WASHINGTON, July 10, 1850.

“*To the Senate of the United States:—*

“In consequence of the lamented death of Zachary Taylor, late president of the United States, I shall no longer occupy the chair of the senate; and I have thought that a formal communication to that effect, through your secretary, might enable you the more promptly to proceed to the choice of a presiding officer.

“MILLARD FILLMORE.”

On the following day, William R. King was unanimously elected, by resolution, president *pro tem.* of the senate.

The several members of the cabinet who had been appointed by President Taylor having immediately tendered their resignations to the new president, Mr. Fillmore, and the same having been accepted, the administration of General Taylor was terminated. No important acts of Congress having been matured previous to his death, the administration of General Taylor had no opportunity to develop itself, except by the actions of the executive in appointments to office, and such measures were intrusted to the president by the constitution and laws. Embarrassed as he was by the delay of settlement of important questions by Congress, the public, it is believed, were generally satisfied with the good intentions of General Taylor, and his exertions to preserve tranquillity, and to conscientiously perform the duties of his high office. His public character as a civilian during his brief career in the executive chair, must be known and appreciated by the principles avowed in his inaugural address; and by the recommendations in his communications to Congress.

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BIOGRAPHICAL SKETCH
OF
MILLARD FILLMORE.

JOHN FILLMORE, the great grandfather of MILLARD FILLMORE, and the common ancestor of all of that name in the United States, was of English origin, and was born about the year 1702, in Ipswich, Massachusetts, and feeling a strong propensity for a sea-faring life, at the age of about nineteen went on board a fishing vessel, which sailed from Boston. The vessel had been but a few days out when it was captured by a noted pirate-ship, commanded by Captain Phillips, and young Fillmore was kept as a prisoner. He remained on board the pirate-ship nine months, enduring every hardship which a strong constitution and firm spirit were capable of sustaining; and, though frequently threatened with instant death unless he would sign the piratical articles of the vessel, he steadily refused until two others had been taken prisoners, who also refusing to join the crew, the three made an attack upon the pirates, and, after killing several, took the vessel and brought it safe into Boston harbor. The narrative of this adventure has been for many years in print, and details one of the most daring and successful exploits on record. The surviving pirates were tried and executed, and the heroic conduct of the captors was acknowledged by the British government. John Fillmore afterward settled in that part of the town of Norwich now called Franklin, in Connecticut, where he died.

His son, Nathaniel Fillmore, settled at an early day in Bennington, Vermont, then called the Hampshire grants, where he lived till his death, in 1814. He served in the French war, and was a true whig of the revolution, proving his devotion to his country's cause by gallantly fighting as a lieutenant under General Stark, in the battle of Bennington.

NATHANIEL FILLMORE, his son, and father of Millard, was born at Bennington on the 19th of April, 1771, and early in life removed to what is now called Summer Hill, Cayuga county, New York, where MILLARD was born, January 7th, 1800. Nathaniel was a farmer, and soon after lost all his property by a bad title to one of the military lots he had pur-

chased. About the year 1802, he removed to the town of Sempronius (now Niles) in the same county, and resided there until 1819, when he removed to Erie county, where he still lives, cultivating a small farm with his own hands. He was a strong and uniform supporter of Jefferson, Madison, and Tompkins, and is now a firm whig.

His mother, Phebe Millard, the daughter of Doctor Abiathar Millard, was born in Pittsfield, Massachusetts. She was a woman of limited education, but of a very high order of intellect, united with a native grace and beauty, and exquisite sensibility, that distinguished her among her sex. She died in 1831, and consequently did not live to enjoy—what only a fond mother can appreciate—the national reputation of her son.

The narrow means of his father deprived Millard of any advantages of education beyond what were afforded by the imperfect and ill-taught common schools of the county. Books were scarce and dear, and at the age of fourteen, when more favored youths are far advanced in their classical studies, or enjoying in colleges the benefit of well-furnished libraries, young Fillmore had read but little except his common school-books and the Bible. At that period he was sent into the then wilds of Livingston county, to learn the clothier's trade. He remained there about four months, and was then placed with another person to pursue the same business and wool-carding in the town where his father lived. A small village library that was formed there, soon after, gave him the first means of acquiring general knowledge through books. He improved the opportunity thus offered; the appetite grew by what it fed upon. The thirst for knowledge soon became insatiate, and every leisure moment was spent in reading. Four years were passed in this way, working at his trade, and storing his mind, during such hours as he could command, with the contents of books of history, biography, and travels. At the age of nineteen he fortunately made an acquaintance with the late Walter Wood, Esq., whom many will remember as one of the most estimable citizens of Cayuga county. Judge Wood was a man of wealth and great business capacity: he had an excellent law library, but did little professional business. He soon saw that under the rude exterior of the clothier's boy were powers that only required proper development to raise the possessor to high distinction and usefulness, and advised him to quit his trade and study law. In reply to the objection of a lack of education, means, and friends, to aid him in a course of professional studies, Judge Wood kindly offered to give him a place in his office, to advance money to defray his expenses, and wait until success in business should furnish the means of repayment. The offer was accepted. The apprentice boy bought his time, entered the office of Judge Wood, and for more than two years applied himself closely to business and study. He read law and general literature, and studied and practised surveying.

Fearing he should incur too large a debt to his benefactor, he taught

school for three months in the year, and acquired the means of partially supporting himself. In the fall of 1821, he removed to the county of Erie, and the next spring entered a law office in Buffalo. There he sustained himself by teaching, and continued his legal studies until the spring of 1823, when he was admitted to the Common Pleas, and being too diffident of his then untried powers to enter into competition with the older members of the bar in Buffalo, he removed to Aurora in that county, where he commenced the practice of law. In 1826, he was married to Abigail Powers, the youngest child of the Rev. Lemuel Powers, deceased, by whom he has two children, a son and a daughter. She is a lady of great worth, modest and unobtrusive in her deportment, and highly esteemed for her many virtues. Mrs. Fillmore is descended on the maternal side from Henry Leland, one of the early settlers of Massachusetts.

In 1827, Mr. Fillmore was admitted as an attorney, and in 1829, as a counsellor, in the supreme court. Previous to this time his practice had been very limited, but his application to juridical studies had been constant and severe, and it is not to be doubted that during these few years of comparative seclusion he acquired that general knowledge of the fundamental principles of the law which has mainly contributed in after-life to give him an elevated rank among the members of that liberal profession. His legal acquirements and skill as an advocate, soon attracted the attention of his professional brethren in Buffalo, and he was offered a highly-advantageous connection with an elder member of the bar in that city, which he accepted, and removed there in the spring of 1830, in which place he continued to reside until his election as comptroller, and removal to Albany, in the winter of 1847.

His first entrance into public life was in January, 1829, when he took his seat as a member of the assembly, from Erie county, to which office he was re-elected the two following years. The democratic party in those three sessions, as for many years before and after, held triumphant sway in both houses of the legislature, and but little opportunity was afforded a young member of the opposition to distinguish himself. But talent, integrity, and assiduous devotion to public business, will make a man felt and respected, even amid a body of opposing partisans; and Mr. Fillmore, although in a hopeless minority, so far as any question of a political or party bearing was involved, on all question of a general character soon won the confidence of the house in an unexampled degree. It was a common remark among the members, "If Fillmore says it is right, we will vote for it."

The most important measure of a general nature that came up during his service in the state legislature, was the bill to abolish imprisonment for debt. In behalf of that great and philanthropic measure, Mr. Fillmore took an active part, urging with unanswerable arguments its justice and expediency, and, as a member of the committee on the subject, aid-

ing to perfect its details. That portion of the bill relating to the justices' courts was draughted by him, the remainder being the work of the Hon. John C. Spencer. The bill, which was introduced by Silas M. Stilwell, of New York, met with a fierce, unrelenting opposition at every step of its progress, and to Millard Fillmore, with his then coadjutors, are the people indebted for expunging from the statute-book that relic of a barbarous age—imprisonment for debt.

He was elected to Congress in the fall of 1832, and took his seat in the stormy session immediately succeeding the removal of the deposits from the United States bank. In those days, the business of the house, and debates, were led by old and experienced members—new ones, unless they enjoyed a wide-spread and almost national reputation—rarely taking an active and conspicuous part. Little chance, therefore, was afforded Mr. Fillmore, a member of the opposition, young and unassuming, of displaying those qualities that so eminently fitted him for legislative usefulness. But the school was one admirably qualified more fully to develop and cultivate those powers which, under more favorable circumstances, have enabled him to render such varied and important services to his country. As he has ever done in all the stations he has filled, he discharged his duty with scrupulous fidelity, never omitting, on all proper occasions, any effort to advance the interests of his constituents and the country, and winning the respect and confidence of all.

At the close of his term of service he resumed the practice of his profession, which he pursued with distinguished reputation and success, until, yielding to the public voice, he consented to become a candidate, and was re-elected to Congress in the fall of 1836. In the 25th Congress Mr. Fillmore took a more active part than he did during his first term, and on the assembling of the next Congress, to which he was re-elected by a largely-increased majority, he was assigned a prominent place on what, next to that of ways and means, it was justly anticipated would become the most important committee of the house—that on elections. It was in this Congress that the famous contested New Jersey case came up. It would swell this biographical sketch to too great a length to enter upon the details of that case, and it is the less necessary to do so, inasmuch as the circumstances attending it are given in the history of the administration of Van Buren, in another part of this work.

The prominent part which Mr. Fillmore took in that case, his patient investigation of all its complicated, minute details, the clear, convincing manner in which he set forth the facts, the lofty and indignant eloquence with which he denounced the meditated act, all strongly directed public attention to him as one of the ablest men of that Congress, distinguished as it was by the eminent ability and statesmanship of many of its members. The agitation in Congress of this New Jersey election case, and the currency measures adopted by the administration of Mr. Van Buren,

were among the causes which contributed to the overthrow of the democratic party and the triumph of the whigs in the presidential election of 1840, and the majority obtained by them of members elected to both houses in the 27th Congress.

On the assembling of the 27th Congress, to which Mr. Fillmore was re-elected by a majority larger than was ever before given in his district, he was placed at the head of the committee of ways and means. The duties of that station, always arduous and responsible, were at that time peculiarly so. A new administration had come into power, and found public affairs in a state of the greatest derangement. Accounts had been wrongly kept; speculation of every kind abounded in almost every department of the government; the revenue was inadequate to meet the ordinary expenses; the already large existing debt was rapidly swelling in magnitude; commerce and manufactures were depressed; the currency was deranged; banks were embarrassed; and general distress pervaded the community. To bring order out of disorder; to replenish the national treasury; to provide means that would enable the government to meet the demands against it, and to pay off the debt; to revive the industry of the country and restore its wonted prosperity—these were the tasks devolved upon the committee of ways and means. To increase their difficulties, the minority, composed of the defeated party, instead of aiding to repair the existing evils, uniformly opposed almost every measure brought forward for relief, and often their unavailing efforts were successfully aided by the executive, Mr. Tyler. But with an energy and devotion to the public weal, worthy of all admiration, Mr. Fillmore applied himself to the task, and, sustained by a majority in Congress whose industry and zeal in the public service under peculiar embarrassments, has seldom been equalled, and never surpassed, he succeeded in its accomplishment.

The measures he brought forward, and sustained with matchless ability, speedily relieved the government from its embarrassment, and have fully justified the most sanguine expectations of their benign influence upon the country at large. A new and more accurate system of keeping accounts, rendering them clear and intelligible, was introduced. The favoritism and speculation, which had so long disgraced the departments and plundered the treasury, were checked by the requisition of contracts. The credit of the government was restored, ample means were provided for the exigencies of the public service, and the payment of the national debt incurred by the preceding administration. Commerce and manufactures revived, and prosperity and hope once more smiled upon the land. The labor of devising, explaining, and defending measures productive of such happy results, was thrown chiefly on Mr. Fillmore. He was ably sustained by his political friends in Congress; but on him, nevertheless, the main responsibility rested.

After his long and severe labors in the committee-room—labors suffi-

ciently arduous to break down any but one of an iron constitution—sustained by a spirit that nothing could conquer, he was required to give his unremitting attention to the business of the house, to make any explanation that might be asked, and be ready with a complete and triumphant refutation of every cavil or objection that the ingenuity or sophistry of his opponents could devise. All this, too, was required to be done with promptness, clearness, dignity, and good temper. For the proper performance of these varied duties, few men are more happily qualified than Mr. Fillmore. At that fortunate age when the physical and intellectual powers are displayed in the highest perfection, and the hasty impulses of youth, without any loss of its vigor, are brought under control of large experience in public affairs, with a mind capable of descending to minute details, as well as conceiving a grand system of national policy, calm and deliberate in judgment, self-possessed and fluent in debate, of dignified presence, never unmindful of the courtesies becoming social and public intercourse, and of political integrity unimpeachable, he was admirably fitted for the post of leader of the majority in the 27th Congress.

Just before the close of the first session of this Congress, Mr. Fillmore, in a letter addressed to his constituents, signified his intention not to be a candidate for re-election. He acknowledged with gratitude and pride the cordial and generous support given him by his constituents, but the severe labor devolved upon him by his official duties demanded some relaxation, and private affairs, necessarily neglected in some degree during several years of public service, called for attention. Notwithstanding his declaration to withdraw from the station he filled with so much honor and usefulness, the convention of his district, unanimously, and by acclamation, renominated him, and urgently pressed upon him a compliance with their wishes. Mr. Fillmore was deeply affected by this last of many proofs of confidence and regard on the part of those who had known him longest and best; but he firmly adhered to the determination he had expressed, and at the close of the term for which he was elected, he returned to his home more gratified at his relief from the cares of official life, than he had ever been at the prospect of its highest rewards and honors. But though keenly enjoying the freedom from public responsibilities, and the pleasures of social intercourse in which he was now permitted to indulge, the qualities of mind and habits of systematic, close attention to business, that so eminently fitted him for a successful congressional career, were soon called into full exercise by the rapidly-increasing requirements of professional pursuits, never wholly given up. There is a fascination in the strife of politics, its keen excitements, and its occasional but always tempting, brilliant triumphs, that, when once felt, few men are able to resist so completely as to return with relish to the comparatively tame and dull occupations of private life. But to the calm and equable temperament of Mr. Fillmore, repose, after the stormy scenes in which he had been forced

to take a leading part, was most grateful. He had ever regarded his profession with affection and pride, and he coveted more the just, fairly-won fame of the jurist, than the highest political distinction. He welcomed the toil, therefore, which a large practice in the higher courts imposed upon him, and was as remarkable for the thoroughness with which he prepared his legal arguments, as he was for patient, minute investigation of the dry and difficult subjects it was so often his duty to elucidate and defend in the house of representatives.

In 1844, in obedience to a popular wish too strong to be resisted, he reluctantly accepted the whig nomination for governor of New York. The issue of that conflict in which he shared in the signal defeat of his party, has become history, and though deeply pained at the result, he was only so in view of the consequences to the nation, which he believed would follow the defeat of the whig presidential ticket, and the accession to power of the democratic party, pledged to measures which he deprecated. For his own defeat, Mr. Fillmore had no regrets. He had no aspirations for the high and honorable office for which he had been a candidate, and with the failure of his election, he trusted would end any further demand upon him to serve in public life.

In 1847, a popular call, similar to that of '44, was again made upon him, to which he yielded a reluctant assent, and was elected comptroller of the state, by a majority larger than had been given to any state officer at any former election in many years. There were some peculiar causes that contributed to swell his majority at that election, but, independent of them, there can be no doubt that the general conviction of his eminent fitness for the office, would, under any circumstances of the opposing party, have given him a great and triumphant vote. That such evidence of the confidence and esteem of his fellow-citizens was gratifying to his feelings, can not be doubted, but few can justly appreciate the sacrifices they imposed. The duties of that office could not be discharged without abandoning at once and for ever—for who ever regained a professional standing once lost?—a lucrative business which he had been years in acquiring, nor without severing all those social ties, and breaking up all those domestic arrangements, which rendered home happy, and bound him to the city where the best portion of his life had been spent. Yet, feeling that the state had a right to command his services, he cheerfully submitted to its exactions, and on the first of January, 1848, removed to Albany, where he displayed, in the performance of the duties of his arduous and responsible office, the high ability and thorough attention which have always characterized the discharge of all his public trusts.

We now approach the period in the life of Mr. Fillmore, when the entire Union evinced its appreciation of his talents and worth, and a new theatre was presented to him for the exercise of matured judgment, consummate

prudence, and an abiding attachment and fidelity to the constitution and Union, not excelled since the days of the revolution.

In the winter of 1844, when the eyes of the whigs were turned to Henry Clay, of Kentucky, as their leader in the contest of that year, by a numerous portion of the party Mr. Fillmore was looked to as the candidate for the vice-presidency.

The whigs of the state of New York, in general convention, unanimously nominated Henry Clay for president, and Millard Fillmore for vice-president.

At the Baltimore convention, which met in May of that year, the delegates from New York, with one exception (the late Ambrose Spencer, who was president of that convention) supported Mr. Fillmore; but Mr. Frelinghuysen, a distinguished citizen of New Jersey, received the nomination.

The startling results of the campaign in Mexico, and the admiration and regard everywhere entertained for the bravery, cool judgment, and eminent services of the hero of Resaca de la Palma, Palo Alto, Monterey, and Buena Vista, early designated General Taylor as the next president of the United States.* While it was well known that General Taylor had but little experience in the civil affairs of the country, the confidence in his integrity, sound common sense, and practical wisdom, was unbounded; and a statesman, ready and willing cordially to co-operate with General Taylor in carrying on the administration, and well versed in the details of governmental affairs, was universally sought for by the whig party, which, at that early day, it was clearly perceived, must be triumphant in the coming contest.

In view of all these considerations, the whigs of the Union, in national convention, selected Millard Fillmore for vice-president, and thereafter the names of Taylor and Fillmore became the rallying cry of that party throughout the Union, and resulted in the triumphant election of the whig candidates.

In February, 1849, Mr. Fillmore resigned the office of comptroller of the state of New York, to enter upon the discharge of the duties of vice-president.

It is not too much to say, that, distinguished as were the predecessors of Mr. Fillmore in the office of comptroller, for integrity of character, financial talents, and a faithful regard to the interests of the state, no one of them left the office with a higher reputation than Mr. Fillmore, or with a more general conviction on the part of the public, that all the duties of the station had been discharged with ability and fidelity.

Taking the oath of office as vice-president, his address to the senate was commended as well for the modesty and dignity of its delivery, as for the sound and patriotic principles enunciated.

The session of Congress which commenced in December, 1849, proved

more exciting than any previous one, and it soon became apparent to every dispassionate observer, that the strength of our institutions was then to be tested ; and that upon the wisdom, firmness, discretion, and patriotism, of those in power, would depend the continuance of the Union and the constitution.

In 1826, the presiding officer of the senate, John C. Calhoun, had assumed the position that the vice-president had no power to call a senator to order for words spoken in debate. This decision had been acquiesced in, and was the established usage of the senate. Vice-President Fillmore resolved to resume what he deemed the just duties of the presiding officer. In a neat, perspicuous address to the senate, on a fitting occasion, he announced his determination to maintain decorum in debate, and to call senators to order for any offensive words used. The senate evinced its appreciation and sanction of these views by unanimously ordering them to be entered at length on their journal, where they stand as evidence of the firmness of the presiding officer of the senate, and his determination to shrink from no duty. The courtesy, ability, and dignity, exhibited by Mr. Fillmore, while presiding over the deliberations of the senate, received universal commendation.

In the discharge of his high and delicate duties the vice-president was engaged, when the country was startled by the announcement of the sudden illness and almost immediate decease of General Taylor.

At this critical period, the most difficult and exciting questions which had ever agitated the people of this country were pending. The whole Union was aroused ; section was arrayed against section ; party divisions were broken up ; and a universal gloom prevailed.

The cabinet resigned, but the new president, with dignity and delicacy, declined to consider their resignations until after the obsequies to the lamented dead had been performed.

On the 10th of July, Mr. Fillmore, as president, took the oath to "*preserve, protect, and defend the constitution of the United States*"—and men then felt that that solemn promise would be faithfully kept—that the crisis was passed—and that the Union and the constitution would remain to them and their posterity.

Within two weeks the president selected a cabinet, distinguished for its ability, patriotism, and devotion to the Union, and possessing, in an eminent degree, the confidence of the country.

With his constitutional advisers, the president immediately applied himself to relieve the embarrassments of the country, and to the best means of restoring quiet and confidence to all sections of the Union.

His message to Congress on the difficulties with Texas, presented views so calm, just, and reasonable, yet firm and decided, that confidence in the administration was instantly inspired, and this message was

regarded as the bow of promise and hope. The settlement of that vexed question opened the way for the speedy adjustment of others.

The assembling of Congress on the second of December, 1850, was looked forward to with anxiety, as it was well known that then the annual message of the president would be delivered, disclosing the views and principles of the new administration. This document was calm, conciliatory, yet firm, and thoroughly American in all its parts; showing that the president was governed by an earnest desire to conciliate the warring sections and restore harmony to the Union.

In every station in which he has been placed, Mr. Fillmore has shown himself "honest, capable, and faithful to the constitution." He is emphatically one of the people. For all that he has and is, he is indebted, under God, to his own exertions, the faithful performance of every duty, and steadfast adherence to the right. Born to an inheritance of comparative poverty, he struggled with difficulties of no ordinary character, until he has reached a proud eminence which commands the admiration of his countrymen.

It is the peculiar boast of our country, that its highest honors and dignities are the legitimate objects of ambition to the humblest in the land as well as to those most favored by the gifts of birth and fortune. Ours is a government of the people, and from the people, emphatically, have sprung those who, in the army or navy, on the bench of justice, or in the halls of legislation, have shed the brightest lustre on the page of our history. So universally almost is this the case, that when we find an instance to the contrary, of one born to a fortune and enjoying the advantages of influential connections, rising to a high place in the councils of the nation, the exception deserves especial note for its rarity. No merit is therefore claimed for Millard Fillmore on account of the fact that from comparatively humble parentage he has attained his present eminent position. His history, however, affords a useful lesson, as showing what may be accomplished in the face of adverse circumstances, by intellect, aided and controlled by energy, perseverance, and strict integrity, in a public and private capacity.

In person, Mr. Fillmore is about six feet in height and well proportioned. His complexion is light, and the expression of his face is mild and intelligent, indicating prominent traits of character by which he is distinguished, among which are energy, benevolence, and strict integrity. His manners are plain and affable, and his whole deportment such as should characterize the chief magistrate of a republic.

FILLMORE'S

ADDRESSES AND MESSAGES.

SPECIAL MESSAGE.

JULY 18, 1850.

To the House of Representatives of the United States :—

I HEREWITH transmit to the house of representatives, in compliance with the request contained in their resolution of the 24th day of January last, the information asked for by that resolution, relating to certain proceedings of the British government in the forcible seizure and occupation of the island of Tigre; also all the "facts, circumstances, and communications within the knowledge of the executive, relative to any seizure or occupation, or attempted seizure or occupation, by the British government, of any port, river, town, territory, or island belonging to, or claimed by, any of the states of Central America."

The resolution of the house speaks of the island of Tigre, in the state of Nicaragua. I am not aware of the existence of any such island in that state, and presume that the resolution refers to the island of the same name in the gulf of Fonseca, in the state of Honduras.

The concluding part of the resolution, requesting the president to communicate to the house all treaties not heretofore published which may have been negotiated with any of the states of Central America, "by any person acting by authority of the late administration, or under the auspices of the present administration," so far as it has reference to treaties negotiated with any of those states by instructions from this government, can not be complied with, inasmuch as those treaties have not been acted upon by the senate of the United States, and are now in the possession of that body, to whom, by the constitution, they are directed to be transmitted for advice in regard to their ratification.

But, as its communication is not liable to the same objection, I transmit for the information of the house a copy of a treaty in regard to a ship-canal across the isthmus, negotiated by Elijah Hise, our late chargé d'affaires in Guatemala, with the government of Nicaragua, on the 21st day of June, 1849, accompanied by copies of his instructions from, and correspondence with, the department of state.

I shall cheerfully comply with the request of the house of representatives to lay before them the treaties negotiated with the states of Central America, now before the senate, whenever it shall be compatible with the public interest to make the communication. For the present I communi-

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FILLMORE'S TEXAS MESSAGE.

cate herewith a copy of the treaty with Great Britain, and of the correspondence between the American secretary of state and the British plenipotentiary at the time it was concluded. The ratifications of it were exchanged at Washington on the 4th day of July instant.

I also transmit the report of the secretary of state, to whom the resolution of the house was referred, and who conducted the negotiations relative to Central America, under the direction of my lamented predecessor.

SPECIAL MESSAGE.

JULY 30, 1850.

To the Senate of the United States :—

I HEREWITH transmit to the senate, in answer to its resolution of the 5th instant, requesting the president to communicate to that body "any information, if any has been received by the government, showing that an American vessel has been recently stopped upon the high seas and searched by a British ship-of-war," the accompanying copies of papers. The government has no knowledge of any alleged stopping or searching on the high seas of American vessels by British ships-of-war, except in the cases therein mentioned. The circumstances of these cases will appear by the enclosed correspondence taken from the files of the navy department. No remonstrance or complaint by the owners of these vessels has been presented to the government of the United States.

TEXAS MESSAGE.

AUGUST 6, 1850.

To the Senate and House of Representatives of the United States :—

I HEREWITH transmit to the two houses of Congress a letter from his excellency the governor of Texas, dated on the 14th day of June last, addressed to the late president of the United States, which, not having been answered by him, came to my hands on his death; and I also transmit a copy of the answer which I have felt it to be my duty to cause to be made to that communication.

Congress will perceive that the governor of Texas officially states, that, by authority of the legislature of that state, he despatched a special commissioner with full power and instructions to extend the civil jurisdiction of the state over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated on its northwestern limits.

He proceeds to say that the commissioner had reported to him, in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adversely with the inhabitants to the fulfilment of his object in favor of the establishment of a separate state government east of the Rio Grande, and within the rightful limits of the state of Texas.

These four counties, which Texas thus proposes to establish and

organize as being within her own jurisdiction, extend over the whole of the territory east of the Rio Grande, which has heretofore been regarded as an essential and integral part of the department of New Mexico, and actually governed and possessed by her people until conquered and severed from the republic of Mexico by the American arms.

The legislature of Texas has been called together by her governor for the purpose, as is understood, of maintaining her claim to the territory east of the Rio Grande, and of establishing over it her own jurisdiction and her own laws by force.

These proceedings of Texas may well arrest the attention of all branches of the government of the United States; and I rejoice that they occur while the Congress is yet in session. It is, I fear, far from being impossible that, in consequence of these proceedings of Texas, a crisis, may be brought on which shall summon the two houses of Congress—and still more emphatically the executive government—to an immediate readiness for the performance of their respective duties.

By the constitution of the United States, the president is constituted commander-in-chief of the army and navy, and of the militia of the several states when called into the actual service of the United States. The constitution declares, also, that he shall take care that the laws be faithfully executed; and that he shall, from time to time, give to the Congress information of the state of the Union.

Congress has power, by the constitution, to provide for calling forth the militia to execute the laws of the Union; and suitable and appropriate acts of Congress have been passed, as well for providing for calling forth the militia as for placing other suitable and efficient means in the hands of the president to enable him to discharge the constitutional functions of his office.

The second section of the act of the 28th of February, 1795, declares that whenever the laws of the United States shall be opposed, or their execution obstructed in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or the power vested in the marshals, the president may call forth the militia, as far as may be necessary, to suppress such combinations, and to cause the laws to be duly executed.

By the act of March 3d, 1807, it is provided that in all cases of obstruction to the laws either of the United States or any individual state or territory, where it is lawful for the president to call forth the militia for the purpose of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States as shall be judged necessary.

These several enactments are now in full force; so that, if the laws of the United States are opposed or obstructed, in any state or territory, by combinations too powerful to be suppressed by the judicial or civil authorities, it becomes a case in which it is the duty of the president either to call out the militia or to employ the military and naval force of the United States, or to do both, if, in his judgment, the exigency of the occasion shall so require, for the purpose of suppressing such combinations. The constitutional duty of the president is plain and peremptory, and the authority vested in him by law for its performance clear and ample.

Texas is a state, authorized to maintain her own laws, so far as they are not repugnant to the constitution, laws, and treaties of the United States; to suppress insurrections against her authority; and to punish

those who may commit treason against the state, according to the forms provided by her own constitution and her own laws.

But all this power is local, and confined entirely within the limits of Texas herself. She can possibly confer no authority which can be lawfully exercised beyond her own boundaries.

All this is plain, and hardly needs argument or elucidation. If Texas militia, therefore, march into any one of the other states, or into any territory of the United States, there to execute or enforce any law of Texas, they become at that moment trespassers; they are no longer under the protection of any lawful authority, and are to be regarded merely as intruders; and if, within such state or territory, they obstruct any law of the United States, either by power of arms or mere power of numbers, constituting such a combination as is too powerful to be suppressed by the civil authority, the president of the United States has no option left to him, but is bound to obey the solemn injunction of the constitution, and exercise the high powers vested in him by that instrument and by the acts of Congress.

Or if any civil *posse*, armed or unarmed, enter into any territory of the United States, under the protection of the laws thereof, with intent to seize individuals, to be carried elsewhere for trial for alleged offences, and this *posse* be too powerful to be resisted by the local civil authorities, such seizure or attempt to seize is to be prevented or resisted by the authority of the United States.

The grave and important question now arises, whether there be in the territory of New Mexico any existing law of the United States, opposition to which, or the obstruction of which, would constitute a case calling for the interposition of the authority vested in the president.

The constitution of the United States declares that "this constitution, and the laws of the United States which shall be made in pursuance thereof, and all the treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land." If, therefore, New Mexico be a territory of the United States, and if any treaty stipulation be in force therein, such treaty stipulation is the supreme law of the land, and is to be maintained and upheld accordingly.

In the letter to the governor of Texas, my reasons are given for believing that New Mexico is now a territory of the United States, with the same extent and the same boundaries which belonged to it while in the actual possession of the republic of Mexico, and before the late war. In the early part of that war, both California and New Mexico were conquered by the arms of the United States, and were in the military possession of the United States at the date of the treaty of peace.

By that treaty, the title by conquest was confirmed, and these territories, provinces, or departments, separated from Mexico for ever; and by the same treaty, certain important rights and securities were solemnly guaranteed to the inhabitants residing therein.

By the 5th article of the treaty, it is declared that—

"The boundary line between the two republics shall commence in the gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called the Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence, up the middle of that river, following the deepest channel where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence westwardly, along

the whole southern boundary of New Mexico (which runs north of the town called Paso), to its western termination; thence northward, along the western line of New Mexico, until it intersects the first branch of the river Gila (or, if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific ocean."

The 8th article of the treaty is in the following terms:—

"Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

"Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States; but they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their attention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

"In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy, with respect to it, guaranties equal in ample as if the same belonged to citizens of the United States."

The 9th article of the treaty is in these words:—

"The Mexicans who, in territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the constitution, and, in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction."

It is plain, therefore, on the face of these treaty stipulations, that all Mexicans established in territories north or east of the line of demarcation already mentioned come within the protection of the 9th article; and that the treaty, being a part of the supreme law of the land, does extend over all such Mexicans, and assure to them perfect security in the free enjoyment of their liberty and property, as well as in the free exercise of their religion; and this supreme law of the land, being thus in actual force over this territory, is to be maintained until it shall be displaced or superseded by other legal provisions; and if it be obstructed or resisted by combinations too powerful to be suppressed by the civil authority, the case is one which comes within the provisions of law, and which obliges the president to enforce those provisions. Neither the constitution nor

those who may commit treason against the state, according to the provided by her own constitution and her own laws.

But all this power is local, and confined entirely within the limits of Texas herself. She can possibly confer no authority which can be fully exercised beyond her own boundaries.

All this is plain, and hardly needs argument or elucidation. If militia, therefore, march into any one of the other states, or into any territory of the United States, there to execute or enforce any law of which they become at that moment trespassers; they are no longer under the protection of any lawful authority, and are to be regarded merely as invaders; and if, within such state or territory, they obstruct any lawful authority of the United States, either by power of arms or mere power of numbers, constituting such a combination as is too powerful to be suppressed by civil authority, the president of the United States has no option, but is bound to obey the solemn injunction of the constitution to exercise the high powers vested in him by that instrument and the acts of Congress.

Or if any civil *posse*, armed or unarmed, enter into any territory of the United States, under the protection of the laws thereof, with intent to seize individuals, to be carried elsewhere for trial for alleged offenses, this *posse* be too powerful to be resisted by the local civil authorities, or attempt to seize is to be prevented or resisted by the laws of the United States.

The grave and important question now arises, whether the territory of New Mexico any existing law of the United States, to which, or the obstruction of which, would constitute a violation for the interposition of the authority vested in the president.

The constitution of the United States declares that "this and the laws of the United States which shall be made in virtue thereof, and all the treaties made, or which shall be made, in virtue of the authority of the United States, shall be the supreme law of the land; therefore, New Mexico be a territory of the United States, if any treaty stipulation be in force therein, such treaty stipulation is the law of the land, and is to be maintained and upheld accordingly."

In the letter to the governor of Texas, my reasons are given in which New Mexico is now a territory of the United States to the same extent and the same boundaries which belonged to it before the actual possession of the republic of Mexico, and before the commencement of the early part of that war, both California and New Mexico were conquered by the arms of the United States, and were in the possession of the United States at the date of the treaty of peace.

By that treaty, the title by conquest was confirmed, and all the provinces, or departments, separated from Mexico for the same treaty, certain important rights and securities were guaranteed to the inhabitants residing therein.

By the 5th article of the treaty, it is declared that—

"The boundary line between the two republics shall be the gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called the Rio Bravo del Norte, or of its deepest branch, if it should have more than one directly into the sea; from thence, up the middle of the deepest channel where it has more than one, to the point which strikes the southern boundary of New Mexico; thence v

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the laws, nor my duty, nor my oath of office, leaves me any alternative or any choice in my mode of action.

The executive government of the United States has no power or authority to determine what was the true line of boundary between Mexico and the United States before the treaty of Guadalupe Hidalgo; nor has it any such power now, since the question has become a question between the state of Texas and the United States. So far as this boundary is doubtful, that doubt can only be removed by some act of Congress, to which the assent of the state of Texas may be necessary, or by some appropriate mode of legal adjudication; but, in the meantime, if disturbances or collisions arise or should be threatened, it is absolutely incumbent on the executive government, however painful the duty, to take care that the laws be faithfully maintained; and he can regard only the actual state of things as it existed at the date of the treaty, and is bound to protect all inhabitants who were then established, and who now remain north and east of the line of demarcation, in the full enjoyment of their liberty and property according to the provisions of the 9th article of the treaty: in other words, all must be now regarded as New Mexico which was possessed and occupied as New Mexico by citizens of Mexico at the date of the treaty, until a definite line of boundary shall be established by competent authority.

This assertion of duty to protect the people of New Mexico from threatened violence, or from seizure to be carried into Texas for trial for alleged offences against Texan laws, does not at all include any claim of power on the part of the executive to establish any civil or military government within that territory. *That power belongs exclusively to the legislative department, and Congress is the sole judge of the time and manner of creating or authorizing any such government.*

The duty of the executive extends only to the execution of laws and the maintenance of treaties already in force, and the protection of all the people of the United States in the enjoyment of the rights which those treaties and laws guaranty.

It is exceedingly desirable that no occasion should arise for the exercise of the powers thus vested in the president by the constitution and the laws. With whatever mildness those powers might be executed, or however clear the case of necessity, yet consequences might nevertheless follow, of which no human sagacity can foresee either the evils or the end.

Having thus laid before Congress the communication of his excellency the governor of Texas, and the answer thereto, and having made such observations as I have thought the occasion called for, respecting constitutional obligations which may arise in the further progress of things, and may devolve on me to be performed, I hope I shall not be regarded as stepping aside from the line of my duty, notwithstanding that I am aware that the subject is now before both houses, if I express my deep and earnest conviction of the importance of an immediate decision or arrangement or settlement of the question of boundary between Texas and the territory of New Mexico. All considerations of justice, general expediency, and domestic tranquillity, call for this. It seems to be in its character, and by position, the first, or one of the first, of the questions growing out of the acquisition of California and New Mexico, and now requiring decision.

No government can be established for New Mexico, either state or ter-

ritorial, until it shall be first ascertained what New Mexico is, and what are her limits and boundaries. These can not be fixed or known till the line of division between her and Texas shall be ascertained and established; and numerous and weighty reasons conspire, in my judgment, to show that this divisional line should be established by Congress, with the assent of the government of Texas. In the first place, this seems by far the most prompt mode of proceeding by which the end can be accomplished. If judicial proceedings were resorted to, such proceedings would necessarily be slow, and years would pass by, in all probability, before the controversy could be ended. So great a delay in this case is to be avoided, if possible. Such delay would be every way inconvenient, and might be the occasion of disturbances and collisions. For the same reason, I would, with the utmost deference to the wisdom of Congress, express a doubt of the expediency of the appointment of commissioners, and of an examination, estimate, and an award of indemnity to be made by them. This would be but a species of arbitration which might last as long as a suit at law.

So far as I am able to comprehend the case, the general facts are now all known, and Congress is as capable of deciding on it justly and properly now as it probably would be after the report of the commissioners. If the claim of title on the part of Texas appears to Congress to be well founded in whole or in part, it is in the competency of Congress to offer her an indemnity for the surrender of that claim. In a case like this, surrounded as it is by many cogent considerations, all calling for amicable adjustment and immediate settlement, the government of the United States would be justified, in my opinion, in allowing an indemnity to Texas, not unreasonable or extravagant, but fair, liberal, and awarded in a just spirit of accommodation.

I think no event would be hailed with more gratification by the people of the United States than the amicable adjustment of questions of difficulty which have now for a long time agitated the country, and occupied, to the exclusion of other subjects, the time and attention of Congress.

Having thus freely communicated the results of my own reflections on the most advisable mode of adjusting the boundary question, I shall nevertheless cheerfully acquiesce in any other mode which the wisdom of Congress may devise. And, in conclusion, I repeat my conviction that every consideration of the public interest manifests the necessity of a provision by Congress for the settlement of this boundary question before the present session be brought to a close. The settlement of other questions connected with the same subject, within the same period, is greatly to be desired; but the adjustment of this appears to me to be in the highest degree important. In the train of such an adjustment we may well hope that there will follow a return of harmony and good will, an increased attachment to the Union, and the general satisfaction of the country.

SPECIAL MESSAGE.

AUGUST 8, 1850.

To the Senate and House of Representatives :—

It has been suggested that the language in the first paragraph of my message to the two houses of Congress, of the 6th instant, may convey the idea that Governor Bell's letter to my predecessor was received by him before his death. It was addressed to him, but appears, in point of fact, to have been sent to me from the postoffice after his death.

I make this communication to accompany the message and prevent misapprehension.

SPECIAL MESSAGE.

SEPTEMBER 9 1850.

To the Senate of the United States :—

In compliance with the request of the Honorable Manue Alvarez, acting governor, &c., I have the honor to transmit to the senate herewith a copy of the constitution recently adopted by the inhabitants of New Mexico, together with a digest of the votes for and against it.

Congress having just passed a bill providing a territorial government for New Mexico, I do not deem it advisable to submit any recommendation on the subject of a state government.

SPECIAL MESSAGE.

SEPTEMBER 23, 1850.

To the Senate and House of Representatives :—

HAVING been informed that it is the wish of the family and relatives of the late lamented president of the United States that his remains should be removed to the state of Kentucky, and being desirous of manifesting the most sincere and profound respect for the character of the deceased, in which I doubt not Congress will fully concur, I have felt it to be my duty to make known to you the wishes of the family, that you might, previous to your adjournment, adopt such proceedings and take such order on the subject as in your wisdom may seem meet and proper on the occasion.

FIRST ANNUAL MESSAGE.

DECEMBER 2, 1850.

Fellow-Citizens of the Senate and of the House of Representatives :—

BEING suddenly called, in the midst of the last session of Congress, by a painful dispensation of Divine Providence, to the responsible station which I now hold, I contented myself with such communications to the legislature as the exigency of the moment seemed to require. The country was shrouded in mourning for the loss of its venerated chief magistrate, and all hearts were penetrated with grief. Neither the time nor the occasion appeared to require or to justify, on my part, any general expression of political opinions, or any announcement of the principles which would govern me in the discharge of the duties to the performance of which I had been so unexpectedly called. I trust, therefore, that it may not be deemed inappropriate, if I avail myself of this opportunity of the reassembling of Congress to make known my sentiments, in a general manner, in regard to the policy which ought to be pursued by the government, both in its intercourse with foreign nations, and in its management and administration of internal affairs.

Nations, like individuals in a state of nature, are equal and independent, possessing certain rights, and owing certain duties to each other, arising from their necessary and unavoidable relations ; which rights and duties there is no common human authority to protect and enforce. Still, they are rights and duties, binding in morals, in conscience, and in honor, although there is no tribunal to which an injured party can appeal but the disinterested judgment of mankind, and ultimately the arbitrament of the sword.

Among the acknowledged rights of nations is that, which each possesses of establishing that form of government which it may deem most conducive to the happiness and prosperity of its own citizens ; of changing that form, as circumstances may require ; and of managing its internal affairs according to its own will. The people of the United States claim this right themselves, and they readily concede it to others. Hence it becomes an imperative duty not to interfere in the government or internal policy of other nations ; and, although we may sympathize with the unfortunate or the oppressed, everywhere, in their struggles for freedom, our principles forbid us from taking any part in such foreign contests. We make no wars to promote or to prevent successions to thrones ; to maintain any theory of a balance of power ; or to suppress the actual government which any country chooses to establish for itself. We instigate no revolutions, nor suffer any hostile military expeditions to be fitted out in the United States to invade the territory or provinces of a friendly nation. The great law of morality ought to have a national, as well as a personal and individual application. We should act toward other nations as we wish them to act toward us ; and justice and conscience should form the rule of conduct between governments, instead of mere power, self-interest, or the desire of aggrandizement. To maintain a strict neutrality in foreign wars, to cultivate friendly relations, to reciprocate every noble and generous act, and to perform punctually and scrupulously every treaty obligation—these are the duties which we owe to other states, and by the

performance of which we best entitle ourselves to like treatment from them ; or if that, in any case, be refused, we can enforce our own rights with justice and a clear conscience.

In our domestic policy, the constitution will be my guide ; and in questions of doubt, I shall look for its interpretation to the judicial decisions of that tribunal, which was established to expound it, and to the usage of the government, sanctioned by the acquiescence of the country. I regard all its provisions as equally binding. In all its parts it is the will of the people, expressed in the most solemn form, and the constituted authorities are but agents to carry that will into effect. Every power which it has granted is to be exercised for the public good ; but no pretence of utility, no honest conviction, even, of what might be expedient, can justify the assumption of any power not granted. The powers conferred upon the government and their distribution to the several departments, are as clearly expressed in that sacred instrument as the imperfection of human language will allow ; and I deem it my first duty, not to question its wisdom, add to its provisions, evade its requirements, or nullify its commands.

Upon you, fellow-citizens, as the representatives of the states and the people, is wisely devolved the legislative power. I shall comply with my duty, in laying before you, from time to time, any information calculated to enable you to discharge your high and responsible trust, for the benefit of our common constituents.

My opinions will be frankly expressed upon the leading subjects of legislation ; and if, which I do not anticipate, any act should pass the two houses of Congress which should appear to me unconstitutional, or an encroachment on the just powers of other departments, or with provisions hastily adopted, and likely to produce consequences injurious and unforeseen, I should not shrink from the duty of returning it to you, with my reasons, for your further consideration. Beyond the due performance of these constitutional obligations, both my respect for the legislature and my sense of propriety will restrain me from any attempt to control or influence your proceedings. With you is the power, the honor, and the responsibility of the legislation of the country.

The government of the United States is a limited government. It is confined to the exercise of powers expressly granted, and such others as may be necessary for carrying those powers into effect ; and it is at all times an especial duty to guard against any infringement on the just rights of the states. Over the objects and subjects intrusted to Congress, its legislative authority is supreme. But here that authority ceases, and every citizen who truly loves the constitution, and desires the continuance of its existence and its blessings, will resolutely and firmly resist any interference in those domestic affairs, which the constitution has clearly and unequivocally left to the exclusive authority of the states. And every such citizen will also deprecate useless irritation among the several members of the Union, and all reproach and crimination tending to alienate one portion of the country from another. The beauty of our system of government consists, and its safety and durability must consist, in avoiding mutual collisions and encroachments, and in the regular separate action of all, while each is revolving in its own distinct orbit.

The constitution has made it the duty of the president to take care that the laws be faithfully executed. In a government like ours, in which all laws are passed by a majority of the representatives of the people, and

these representatives are chosen for such short periods, that any injurious or obnoxious law can very soon be repealed, it would appear unlikely that any great numbers should be found ready to resist the execution of the laws. But it must be borne in mind that the country is extensive, that there may be local interests or prejudices rendering a law odious in one part, which is not so in another, and that the thoughtless and inconsiderate, misled by their passions or their imaginations, may be induced madly to resist such laws as they disapprove. Such persons should recollect that, without law, there can be no real practical liberty; that, when law is trampled under foot, tyranny rules, whether it appears in the form of a military despotism or of popular violence. The law is the only sure protection of the weak, and the only efficient restraint upon the strong. When impartially and faithfully administered, none is beneath its protection, and none above its control. You, gentlemen, and the country may be assured, that to the utmost of my ability, and to the extent of the power vested in me, I shall at all times, and in all places, take care that the laws be faithfully executed. In the discharge of this duty, solemnly imposed upon me by the constitution, and by my oath of office, I shall shrink from no responsibility, and shall endeavor to meet events as they may arise, with firmness as well as with prudence and discretion.

The appointing power is one of the most delicate with which the executive is invested. I regard it as a sacred trust, to be exercised with the sole view of advancing the prosperity and happiness of the people. It shall be my effort to elevate the standard of official employment, by selecting for places of importance individuals fitted for the posts to which they are assigned, by their known integrity, talents, and virtues. In so extensive a country, with so great a population, and where few persons appointed to office can be known to the appointing power, mistakes will sometimes unavoidably happen, and unfortunate appointments be made, notwithstanding the greatest care. In such cases, the power of removal may be properly exercised; and neglect of duty or malfeasance in office will be no more tolerated in individuals appointed by myself than in those appointed by others.

I am happy in being able to say that no unfavorable change in our foreign relations has taken place since the message at the opening of the last session of Congress. We are at peace with all nations, and we enjoy in an eminent degree the blessings of that peace, in a prosperous and growing commerce, and in all forms of amicable national intercourse.

The unexampled growth of the country, the present amount of its population, and its ample means of self-protection, assure for it the respect of all nations; while it is trusted that its character for justice, and a regard to the rights of other states, will cause that respect to be readily and cheerfully paid.

A convention was negotiated between the United States and Great Britain, in April last, for facilitating and protecting the construction of a ship canal between the Atlantic and Pacific oceans, and for other purposes. This instrument has since been ratified by the contracting parties, the exchange of ratifications has been effected, and proclamation thereof has been duly made.

In addition to the stipulations contained in this convention, two other objects remain to be accomplished between the contracting powers.

First, the designation and establishment of a free port at each end of the canal.

Second, an agreement fixing the distance from the shore within which belligerent maritime operations shall not be carried on. On these points there is but little doubt that the two governments will come to an understanding.

The company of citizens of the United States who have acquired from the state of Nicaragua the privilege of constructing a ship canal between the two oceans, through the territory of that state, have made progress in their preliminary arrangements. The treaty between the United States and Great Britain, of the nineteenth of April last, above referred to, being now in operation, it is to be hoped that the guaranties which it offers will be sufficient to secure the completion of the work with all practicable expedition. It is obvious that this result would be indefinitely postponed, if any other than peaceful measures, for the purpose of harmonizing conflicting claims to territory in that quarter, should be adopted. It will consequently be my endeavor to cause any further negotiations on the part of this government, which may be requisite for this purpose, to be so conducted as to bring them to a speedy and successful close.

Some unavoidable delay has occurred, arising from distance and the difficulty of intercourse between this government and that of Nicaragua, but, as intelligence has just been received of the appointment of an envoy extraordinary and minister plenipotentiary of that government to reside at Washington, whose arrival may soon be expected, it is hoped that no further impediments will be experienced in the prompt transaction of business between the two governments.

Citizens of the United States have undertaken the connexion of the two oceans by means of a railroad across the isthmus of Tehuantepec, under grants of the Mexican government to a citizen of that republic. It is understood that a thorough survey of the course of the communication is in preparation, and there is every reason to expect that it will be prosecuted with characteristic energy, especially when that government shall have consented to such stipulations with the government of the United States as may be necessary to impart a feeling of security to those who may embark their property in the enterprise. Negotiations are pending for the accomplishment of that object, and a hope is confidently entertained that, when the government of Mexico shall become duly sensible of the advantages which that country can not fail to derive from the work, and learn that the government of the United States desires that the right of sovereignty of Mexico in the isthmus shall remain unimpaired, the stipulations referred to will be agreed to with alacrity.

By the last advices from Mexico it would appear, however, that that government entertains strong objections to some of the stipulations which the parties concerned in the project of the railroad deem necessary for their protection and security. Further consideration, it is to be hoped, or some modification of terms, may yet reconcile the differences existing between the two governments in this respect.

Fresh instructions have recently been given to the minister of the United States in Mexico, who is prosecuting the subject with promptitude and ability.

Although the negotiations with Portugal, for the payment of claims of citizens of the United States against that government, have not yet resulted in a formal treaty, yet a proposition, made by the government of Portugal for the final adjustment and payment of those claims, has recently been accepted on the part of the United States. It gives me pleas-

ure to say that Mr. Clay, to whom the negotiation on the part of the United States had been intrusted, discharged the duties of his appointment with ability and discretion, acting always within the instructions of his government.

It is expected that a regular convention will be immediately negotiated for carrying the agreement between the two governments into effect.

The commissioner appointed under the act of Congress for carrying into effect the convention with Brazil, of the 27th of January, 1849, has entered upon the performance of the duties imposed upon him by that act. It is hoped that those duties may be completed within the time which it prescribes. The documents, however, which the imperial government, by the third article of the convention, stipulates to furnish to the government of the United States, have not yet been received. As it is presumed that those documents will be essential for the correct disposition of the claims, it may become necessary for Congress to extend the period limited for the duration of the commission. The sum stipulated by the fourth article of the convention to be paid to this government has been received.

The collection in the ports of the United States of discriminating duties upon the vessels of Chili and their cargoes has been suspended, pursuant to the provisions of the act of Congress of the 24th of May, 1828. It is to be hoped that this measure will impart a fresh impulse to the commerce between the two countries, which, of late, and especially since our acquisition of California, has, to the mutual advantage of the parties, been much augmented.

Peruvian guano has become so desirable an article to the agricultural interest of the United States, that it is the duty of the government to employ all the means properly in its power for the purpose of causing that article to be imported into the country at a reasonable price. Nothing will be omitted on my part toward accomplishing this desirable end. I am persuaded that in removing any restraints on this traffic, the Peruvian government will promote its own best interests, while it will afford a proof of a friendly disposition toward this country, which will be duly appreciated.

The treaty between the United States and his majesty the king of the Hawaiian islands, which has recently been made public, will, it is believed, have a beneficial effect upon the relations between the two countries.

The relations between those parts of the island of St. Domingo which were formerly colonies of Spain and France, respectively, are still in an unsettled condition. The proximity of that island to the United States, and the delicate questions involved in the existing controversy there, render it desirable that it should be permanently and speedily adjusted. The interests of humanity and of general commerce also demand this; and, as intimations of the same sentiment have been received from other governments, it is hoped that some plan may soon be devised to effect the object in a manner likely to give general satisfaction. The government of the United States will not fail, by the exercise of all proper friendly offices, to do all in its power to put an end to the destructive war which has raged between the different parts of the island, and to secure to them both the benefits of peace and commerce.

I refer you to the report of the secretary of the treasury for a detailed statement of the finances.

The total receipts into the treasury for the year ending 30th of June last were forty-seven millions, four hundred and twenty-one thousand, seven hundred and forty-eight dollars, and ninety cents (\$47,421,748.90).

The total expenditures during the same period were forty-three millions, two thousand, one hundred and sixty-eight dollars, and ninety cents (\$43,002,168.90).

The public debt has been reduced, since the last annual report from the treasury department, four hundred and ninety-five thousand, two hundred and seventy-six dollars, and seventy-nine cents (\$495,276.79).

By the 19th section of the act of 28th January, 1847, the proceeds of the sales of the public lands were pledged for the interest and principal of the public debt. The great amount of those lands subsequently granted by Congress for military bounties, will, it is believed, very nearly supply the public demand for several years to come, and but little reliance can, therefore, be placed on that hitherto fruitful source of revenue.

Aside from the permanent annual expenditures, which have necessarily largely increased, a portion of the public debt, amounting to eight millions, seventy-five thousand, nine hundred and eighty-six dollars, and fifty-nine cents (\$8,075,986.59) must be provided for within the next two fiscal years. It is most desirable that these accruing demands should be met without resorting to new loans.

All experience has demonstrated the wisdom and policy of raising a large portion of revenue for the support of government from duties on goods imported. The power to lay these duties is unquestionable, and its chief object, of course, is to replenish the treasury. But if, in doing this, an incidental advantage may be gained by encouraging the industry of our own citizens, it is our duty to avail ourselves of that advantage.

A duty laid upon an article which can not be produced in this country—such as tea and coffee—add to the cost of the article, and is chiefly or wholly paid by the consumer. But a duty laid upon an article which may be produced here, stimulates the skill and industry of our own country to produce the same article, which is brought into the market in competition with the foreign article, and the importer is thus compelled to reduce his price to that at which the domestic article can be sold, thereby throwing a part of the duty upon the producer of the foreign article. The continuance of this process creates the skill, and invites the capital, which finally enable us to produce the article much cheaper than it could have been procured from abroad, thereby benefiting both the producer and the consumer at home. The consequence of this is, that the artisan and the agriculturist are brought together, each affords a ready market for the produce of the other, and the whole country becomes prosperous; and the ability to produce every necessary of life renders us independent in war as well as in peace.

A high tariff can never be permanent. It will cause dissatisfaction, and will be changed. It excludes competition, and thereby invites the investment of capital in manufactures to such excess, that when changed it brings distress, bankruptcy, and ruin, upon all who have been misled by its faithless protection. What the manufacturer wants is uniformity and permanency, that he may feel a confidence that he is not to be ruined by sudden changes. But to make a tariff uniform and permanent, it is not only necessary that the law should not be altered, but that the duty should not fluctuate. To effect this, all duties should be specific, wherever the nature of the article is such as to admit of it. *Ad-valorem* duties fluctuate.

tuates with the price, and offer strong temptations to fraud and perjury. Specific duties, on the contrary, are equal and uniform in all ports, and at all times, and offer a strong inducement to the importer to bring the best article, as he pays no more duty upon that than upon one of inferior quality. I therefore strongly recommend a modification of the present tariff, which has prostrated some of our most important and necessary manufactures, and that specific duties be imposed sufficient to raise the requisite revenue, and making such discrimination in favor of the industrial pursuits of our own country as to encourage home production, without excluding foreign competition. It is also important that an unfortunate provision in the present tariff, which imposes a much higher duty upon the raw material that enters into our manufactures than upon the manufactured article, should be remedied.

The papers accompanying the report of the secretary of the treasury will disclose frauds attempted upon the revenue, in variety and amount so great, as to justify the conclusion that it is impossible, under any system of ad-valorem duties levied upon the foreign cost or value of the article, to secure an honest observance and an effectual administration of the laws. The fraudulent devices to evade the laws which have been detected by the vigilance of the appraisers, leave no room to doubt that similar impositions not discovered, to a large amount, have been successfully practised since the enactment of the law now in force. This state of things has already had a prejudicial influence upon those engaged in foreign commerce. It has a tendency to drive the honest trader from the business of importing, and to throw that important branch of employment into the hands of unscrupulous and dishonest men, who are alike regardless of law and the obligations of an oath. By these means the plain intentions of Congress, as expressed in the law, are daily defeated. Every motive of policy and duty, therefore, impel me to ask the earnest attention of Congress to this subject. If Congress should deem it unwise to attempt any important changes in the system of levying duties at this session, it will become indispensable to the protection of the revenue that such remedies as, in the judgment of Congress, may mitigate the evils complained of, should at once be applied.

As before stated, specific duties would, in my opinion, afford the most perfect remedy for this evil; but, if you should not concur in this view, then, as a partial remedy, I beg leave respectfully to recommend that instead of taking the invoice of the article abroad as a means of determining its value here, the correctness of which invoice it is in many cases impossible to verify, the law be so changed as to require a home valuation or appraisal, to be regulated in such manner as to give, as far as practicable, uniformity in the several ports.

There being no mint in California, I am informed that the laborers in the mines are compelled to dispose of their gold dust at a large discount. This appears to me to be a heavy and unjust tax upon the labor of those employed in extracting this precious metal; and I doubt not you will be disposed, at the earliest period possible, to relieve them from it by the establishment of a mint. In the meantime, as an assayer's office is established there, I would respectfully submit for your consideration the propriety of authorizing gold bullion, which has been assayed and stamped, to be received in payment of government dues. I can not conceive that the treasury would suffer any loss by such a provision, which will at once raise bullion to its par value, and thereby save (if I am rightly informed)

many millions of dollars to the laborers which are now paid in brokerage to convert this precious metal into available funds. This discount upon their hard earnings is a heavy tax, and every effort should be made by the government to relieve them from so great a burden.

More than three fourths of our population are engaged in the cultivation of the soil. The commercial, manufacturing, and navigation interests are all, to a great extent, dependent on the agricultural. It is, therefore, the most important interest of the nation, and has a just claim to the fostering care and protection of the government, so far as they can be extended consistently with the provisions of the constitution. As this can not be done by the ordinary modes of legislation, I respectfully recommend the establishment of an agricultural bureau, to be charged with the duty of giving to this leading branch of American industry the encouragement which it so well deserves. In view of the immense mineral resources of our country, provisions should also be made for the employment of a competent mineralogist and chymist, who should be required, under the direction of the head of the bureau, to collect specimens of the various minerals of our country, and to ascertain, by careful analysis, their respective elements and properties, and their adaptation to useful purposes. He should also be required to examine and report upon the qualities of different soils, and the manures best calculated to improve their productiveness. By publishing the results of such experiments, with suitable explanations, and by the collection and distribution of rare seeds and plants, with instructions as to the best system of cultivation, much may be done to promote this great national interest.

In compliance with the act of Congress, passed on the 23d of May, 1850, providing, among other things, for taking the seventh census, a superintendent was appointed, and all other measures adopted which were deemed necessary to insure the prompt and faithful performance of that duty. The appropriation already made will, it is believed, be sufficient to defray the whole expense of the work; but further legislation may be necessary in regard to the compensation of some of the marshals of the territories. It will also be proper to make provision by law, at an early day, for the publication of such abstracts of the returns as the public interests may require.

The unprecedented growth of our territories on the Pacific in wealth and population, and the consequent increase of their social and commercial relations with the Atlantic states, seem to render it the duty of the government to use all its constitutional power to improve the means of intercourse with them. The importance of opening "a line of communication, the best and most expeditious of which the nature of the country will admit," between the valley of the Mississippi and the Pacific, was brought to your notice by my predecessor, in his annual message; and as the reasons which he presented in favor of the measure still exist in full force, I beg leave to call your attention to them, and to repeat the recommendations then made by him.

The uncertainty which exists in regard to the validity of land titles in California, is a subject which demands your early consideration. Large bodies of land in that state are claimed under grants said to have been made by authority of the Spanish and Mexican governments. Many of these have not been perfected, others have been revoked, and some are believed to be fraudulent. But until they shall have been judicially investigated, they will continue to retard the settlement and improvement

of the country. I therefore respectfully recommend that provision be made by law for the appointment of commissioners to examine all such claims with a view to their final adjustment.

I also beg leave to call your attention to the propriety of extending, at an early day, our system of land laws, with such modifications as may be necessary over the state of California and the territories of Utah and New Mexico. The mineral lands of California will, of course, form an exception to any general system which may be adopted. Various methods of disposing of them have been suggested. I was at first inclined to favor the system of leasing, as it seemed to promise the largest revenue to the government and to afford the best security against monopolies; but further reflection, and our experience in leasing the lead mines and selling lands upon credit, have brought my mind to the conclusion that there would be great difficulty in collecting the rents, and that the relation of debtor and creditor, between the citizens and the government, would be attended with many mischievous consequences. I therefore recommend that, instead of retaining the mineral lands under the permanent control of the government, they be divided into small parcels and sold, under such restrictions, as to quantity and time, as will insure the best price, and guard most effectually against combinations of capitalists to obtain monopolies.

The annexation of Texas and the acquisition of California and New Mexico have given increased importance to our Indian relations. The various tribes brought under our jurisdiction by these enlargements of our boundaries are estimated to embrace a population of one hundred and twenty four thousand.

Texas and New Mexico are surrounded by powerful tribes of Indians, who are a source of constant terror and annoyance to the inhabitants. Separating into small predatory bands, and always mounted, they overrun the country, devastating farms, destroying crops, driving off whole herds of cattle, and occasionally murdering the inhabitants or carrying them into captivity. The great roads leading into the country are infested with them, whereby travelling is rendered extremely dangerous, and emigration is almost entirely arrested. The Mexican frontier, which, by the 11th article of the treaty of Guadalupe Hidalgo, we are bound to protect against the Indians within our border, is exposed to these incursions equally with our own. The military force stationed in that country (although forming a large proportion of the army) is represented as entirely inadequate to our own protection and the fulfilment of our treaty stipulations with Mexico. The principal deficiency is in cavalry, and I recommend that Congress should, at as early a period as practicable, provide for the raising of one or more regiments of mounted men.

For further suggestions on this subject, and others connected with our domestic interests, and the defence of our frontier, I refer you to the reports of the secretary of the interior and of the secretary of war.

I commend also to your favorable consideration the suggestion contained in the last mentioned report, and in the letter of the general-in-chief, relative to the establishment of an asylum for the relief of disabled and destitute soldiers. This subject appeals so strongly to your sympathies, that it would be superfluous in me to say anything more than barely to express my cordial approbation of the proposed object.

The navy continues to give protection to our commerce and other national interests in the different quarters of the globe, and, with the ex-

ception of a single steamer on the northern lakes, the vessels in commission are distributed in six different squadrons.

The report of the head of that department will exhibit the services of these squadrons, and of the several vessels employed in each during the past year. It is a source of gratification that, while they have been constantly prepared for any hostile emergency, they have everywhere met with the respect and courtesy due as well to the dignity as to the peaceful dispositions and just purposes of the nation.

The two brigantines accepted by the government from a generous citizen of New York, and placed under the command of an officer of the navy, to proceed to the Arctic seas in quest of the British commander, Sir John Franklin, and his companions, in compliance with the act of Congress, approved in May last, had, when last heard from, penetrated into a high northern latitude; but the success of this noble and humane enterprise is yet uncertain.

I invite your attention to the view of our present naval establishment and resources presented in the report of the secretary of the navy, and the suggestions therein made for its improvements, together with the naval policy recommended for the security of our Pacific coast, and the protection and extension of our commerce with eastern Asia. Our facilities for a larger participation in the trade of the east, by means of our recent settlement on the shores of the Pacific, are too obvious to be overlooked or disregarded.

The questions in relation to rank in the army and navy, and relative rank between officers of the two branches of the service, presented to the executive by certain resolutions of the house of representatives, at the last session of Congress, have been submitted to a board of officers in each branch of the service, and their report may be expected at an early day.

I also earnestly recommend the enactment of a law authorizing officers of the army and navy to be retired from the service when incompetent for its vigorous and active duties, taking care to make suitable provision for those who have faithfully served their country, and awarding distinctions, by retaining in appropriate commands those who have been particularly conspicuous for gallantry and good conduct. While the obligation of the country to maintain and honor those who, to the exclusion of other pursuits, have devoted themselves to its arduous service, is acknowledged, this obligation should not be permitted to interfere with the efficiency of the service itself.

I am gratified in being able to state, that the estimates of expenditure for the navy in the ensuing year are less, by more than one million of dollars, than those of the present, excepting the appropriation which may become necessary for the construction of a dock on the coast of the Pacific, propositions for which are now being considered, and on which a special report may be expected early in your present session.

There is an evident justness in the suggestion of the same report, that appropriations for the naval service proper should be separated from those for fixed and permanent objects, such as building docks and navy-yards, and the fixtures attached; and from the extraordinary objects under the care of the department which, however important, are not essentially naval.

A revision of the code for the government of the navy seems to require the immediate consideration of Congress. Its system of crimes and punishments had undergone no change for half a century, until the last session

though its defects have been often and ably pointed out, and the abolition of a particular species of corporal punishment, which then took place, without providing any substitute, has left the service in a state of defectiveness, which calls for prompt correction. I therefore recommend that the whole subject be revised without delay, and such a system established for the enforcement of discipline as shall be at once humane and effectual.

The accompanying report of the postmaster-general presents a satisfactory view of the operations and condition of that department.

At the close of the last fiscal year, the length of the inland mail-routes in the United States (not embracing the service in Oregon and California) was one hundred and seventy-eight thousand, six hundred and seventy-two miles; the annual transportation thereon, forty-six millions, five hundred and forty-one thousand, four hundred and twenty-three miles; and the annual cost of such transportation two millions, seven hundred and twenty-four thousand, four hundred and twenty-six dollars.

The increase of the annual transportation over that of the preceding year was three millions, nine hundred and ninety-seven thousand, three hundred and fifty-four miles, and the increase in cost was three hundred and forty-two thousand, four hundred and forty dollars.

The number of postoffices in the United States on the first day of July last, was eighteen thousand, four hundred and seventeen—being an increase of one thousand, six hundred and seventy during the preceding year.

The gross revenues of the department for the fiscal year ending June 30, 1850, amounted to five millions, five hundred and fifty-two thousand, nine hundred and seventy-one dollars, and forty eight cents, including the annual appropriation of two hundred thousand dollars for the franked matter of the departments, and excluding the foreign postages collected for and payable to the British government.

The expenditures for the same period were five millions, two hundred and twelve thousand, nine hundred and fifty-three dollars, and forty-three cents—leaving a balance of revenue over expenditures of three hundred and forty thousand, and eighteen dollars, and five cents.

I am happy to find that the fiscal condition of the department is such as to justify the postmaster-general in recommending the reduction of our inland letter postage to three cents the single letter when prepaid, and five cents when not prepaid. He also recommends that the prepaid rate shall be reduced to two cents whenever the revenues of the department, after the reduction, shall exceed its expenditures by more than five per cent. for two consecutive years; that the postage upon California and other letters sent by our ocean-steamers shall be much reduced; and that the rates of postage on newspapers, pamphlets, periodicals, and other printed matter, shall be modified, and some reduction thereon made.

It can not be doubted that the proposed reductions will, for the present, diminish the revenues of the department. It is believed that the deficiency, after the surplus already accumulated shall be exhausted, may be almost wholly met, either by abolishing the existing privileges of sending free matter through the mails, or by paying out of the treasury to the post-office department a sum equivalent to the postage of which it is deprived by such privileges. The last is supposed to be the preferable mode, and will, if not entirely, so nearly supply that deficiency as to make any further appropriation that may be found necessary so inconsiderable as to form no obstacle to the proposed reductions.

I entertain no doubt of the authority of Congress to make appropriations for leading objects in that class of public works comprising what are usually called works of internal improvement. This authority I suppose to be derived chiefly from the power of regulating commerce with foreign nations and among the states, and the power of laying and collecting imposts. Where commerce is to be carried on, and imposts collected, there must be ports and harbors, as well as wharves and customhouses. If ships, laden with valuable cargoes, approach the shore, or sail along the coast, lighthouses are necessary at suitable points for the protection of life and property. Other facilities and securities for commerce and navigation are hardly less important; and those clauses of the constitution, therefore, to which I have referred, have received from the origin of the government a liberal and beneficial construction. Not only have lighthouses, buoys, and beacons, been established, and floating lights maintained, but harbors have been cleared and improved, piers constructed, and even breakwaters for the safety of shipping, and sea-walls to protect harbors from being filled up and rendered useless, by the action of the ocean, have been erected at very great expense. And this construction of the constitution appears the more reasonable from the consideration, that if these works, of such evident importance and utility, are not to be accomplished by Congress, they can not be accomplished at all. By the adoption of the constitution the several states voluntarily parted with the power of collecting duties of imposts in their own ports; and it is not to be expected that they should raise money, by internal taxation direct or indirect, for the benefit of that commerce, the revenues derived from which do not, either in whole or in part, go into their own treasuries. Nor do I perceive any difference between the power of Congress to make appropriations for objects of this kind on the ocean and the power to make appropriations for similar objects on lakes and rivers, wherever they are large enough to bear on their waters an extensive traffic. The magnificent Mississippi and its tributaries, and the vast lakes of the north and northwest, appear to me to fall within the exercise of the power, as justly and as clearly as the ocean and the gulf of Mexico. It is a mistake to regard expenditures judiciously made for these objects as expenditures for local purposes. The position or site of the work is necessarily local; but its utility is general. A ship-canal around the falls of St. Mary of less than a mile in length, though local in its construction, would yet be national in its purpose and its benefits, as it would remove the only obstruction to a navigation of more than a thousand miles, effecting several states, as well as our commercial relations with Canada. So, too, the breakwater at the mouth of the Delaware is erected, not for the exclusive benefit of the states bordering on the bay and river of that name, but for that of the whole coastwise navigation of the United States, and, to a considerable extent, also of foreign commerce. If a ship be lost on the bar at the entrance of a southern port for want of sufficient depth of water, it is very likely to be a northern ship; and if a steamboat be sunk in any part of the Mississippi, on account of its channel not having been properly cleared of obstructions, it may be a boat belonging to either of eight or ten states. I may add, as somewhat remarkable, that among all the thirty-one states there is none that is not, to a greater or less extent, bounded on the ocean or the gulf of Mexico, or one of the great lakes, or some navigable river.

In fulfilling our constitutional duties, fellow-citizens, on this subject, as

in carrying into effect all other powers conferred by the constitution, we should consider ourselves as deliberating and acting for one and the same country, and bear constantly in mind that our regard and our duty are due, not to a particular part only, but to the whole.

I therefore recommend that appropriations be made for completing such works as have been already begun, and for commencing such others as may seem to the wisdom of Congress to be of public and general importance.

The difficulties and delays incident to the settlement of private claims by Congress, amount in many cases to a denial of justice. There is reason to apprehend that many unfortunate creditors of the government have thereby been unavoidably ruined. Congress has so much business of a public character, that it is impossible it should give much attention to mere private claims; and their accumulation is now so great, that many claimants must despair of ever being able to obtain a hearing. It may well be doubted whether Congress, from the nature of its organization, is properly constituted to decide upon such cases. It is impossible that each member should examine the merits of every claim on which he is compelled to vote; and it is preposterous to ask a judge to decide a case which he has never heard. Such decisions may, and frequently must, do injustice either to the claimant or the government, and I perceive no better remedy for this growing evil than the establishment of some tribunal to adjudicate upon such claims. I beg leave, therefore, most respectfully, to recommend that provision be made by law for the appointment of a commission to settle all private claims against the United States; and, as an *ex parte* hearing must in all contested cases be very unsatisfactory, I also recommend the appointment of a solicitor, whose duty it shall be to represent the government before such commission, and protect it against all illegal, fraudulent, or unjust claims, which may be presented for their adjudication.

This district, which has neither voice nor vote in your deliberations, looks to you for protection and aid, and I commend all its wants to your favorable consideration, with a full confidence that you will meet them not only with justice, but with liberality. It should be borne in mind that in this city, laid out by Washington and consecrated by his name, is located the Capitol of our nation, the emblem of our Union and the symbol of our greatness. Here, also, are situated all the public buildings necessary for the use of the government, and all these are exempt from taxation. It should be the pride of Americans to render this place attractive to the people of the whole republic, and convenient and safe for the transaction of the public business and the preservation of the public records. The government should, therefore, bear a liberal proportion of the burdens of all necessary and useful improvements. And, as nothing could contribute more to the health, comfort, and safety of the city, and the security of the public buildings and records, than an abundant supply of pure water, I respectfully recommend that you make such provisions for obtaining the same as in your wisdom you may deem proper.

The act passed at your last session, making certain propositions to Texas for settling the disputed boundary between that state and the territory of New Mexico, was, immediately on its passage, transmitted by express to the governor of Texas, to be laid by him before the general assembly for its agreement thereto. Its receipt was duly acknowledged, but no official information has yet been received of the action of the gen-

eral assembly thereon ; it may, however, be very soon expected, as, by the terms of the propositions submitted, they were to have been acted upon on or before the first day of the present month.

It was hardly to have been expected that the series of measures passed at your last session, with the view of healing the sectional differences which had sprung from the slavery and territorial questions, should at once have realized their beneficent purpose. All mutual concession in the nature of a compromise must necessarily be unwelcome to men of extreme opinions. And though without such concessions our constitution could not have been formed, and can not be permanently sustained, yet we have seen them made the subject of bitter controversy in both sections of the republic. It required many months of discussion and deliberation to secure the concurrence of a majority of Congress in their favor. It would be strange if they had been received with immediate approbation by people and states prejudiced and heated by the exciting controversies of their representatives. I believe those measures to have been required by the circumstances and condition of the country. I believe they were necessary to allay asperities and animosities that were rapidly alienating one section of the country from another, and destroying those fraternal sentiments which are the strongest supports of the constitution. They were adopted in the spirit of conciliation, and for the purpose of conciliation. I believe that a great majority of our fellow-citizens sympathize in that spirit and that purpose, and in the main approve, and are prepared in all respects to sustain, these enactments. I can not doubt that the American people bound together by kindred blood and common traditions, still cherish a paramount regard for the Union of their fathers ; and that they are ready to rebuke any attempt to violate its integrity, to disturb the compromises on which it is based, or to resist the laws which have been enacted under its authority.

The series of measures to which I have alluded are regarded by me as a settlement, in principle and substance—a final settlement—of the dangerous and exciting subjects which they embrace. Most of these subjects, indeed, are beyond your reach, as the legislation which disposed of them was, in its character, final and irrevocable. It may be presumed, from the opposition which they all encountered, that none of those measures was free from imperfections, but in their mutual dependence and connexion they formed a system of compromise, the most conciliatory, and best for the entire country, that could be obtained from conflicting sectional interests and opinions.

For this reason I recommend your adherence to the adjustment established by those measures, until time and experience shall demonstrate the necessity of further legislation to guard against evasion or abuse.

By that adjustment we have been rescued from the wide and boundless agitation that surrounded us, and have a firm, distinct, and legal ground to rest upon. And the occasion, I trust, will justify me in exhorting my countrymen to rally upon and maintain that ground, as the best, if not the only means of restoring peace and quiet to the country, and maintaining inviolate the integrity of the Union.

And now, fellow-citizens, I can not bring this communication to a close without invoking you to join me in humble and devout thanks to the Great Ruler of nations for the multiplied blessings which he has graciously bestowed upon us. His hand, so often visible in our preservation, has

stayed the pestilence, saved us from foreign wars and domestic disturbances, and scattered plenty throughout the land.

Our liberties, religious and civil, have been maintained, the fountains of knowledge have all been kept open, and means of happiness widely spread and generally enjoyed, greater than have fallen to the lot of any other nation. And while deeply penetrated with gratitude for the past, let us hope that His all wise providence will so guide our counsels as that they shall result in giving satisfaction to our constituents, securing the peace of the country, and adding new strength to the united government under which we live.

SPECIAL MESSAGE.

DECEMBER 13, 1850.

To the Senate and House of Representatives :—

I HAVE the pleasure of announcing to Congress the agreement on the part of Texas to the propositions offered to that state by the act of Congress approved on the ninth day of September last, entitled "An act proposing to the state of Texas the establishment of her northern and western boundaries, the relinquishment by the said state of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a territorial government for New Mexico."

By the terms of that act, it was required that the agreement of Texas to the propositions contained in it should be given on or before the first day of December, eighteen hundred and fifty. An authenticated transcript of a law, passed by the legislature of Texas on the twenty-fifth day of November, agreeing to and accepting the propositions contained in the act of Congress, has been received. This law, after reciting the provisions of the act of Congress, proceeds to enact and declare as follows, viz.:

"Therefore, first: *Be it enacted by the legislature of the state of Texas,* That the state of Texas hereby agrees to and accepts said propositions, and it is hereby declared that the said state shall be bound by the terms thereof, according to their true import and meaning.

"Second: That the governor of this state be, and is hereby, requested to cause a copy of this act, authenticated under the seal of the state, to be furnished to the president of the United States, by mail, as early as practicable; and also a copy thereof, certified in like manner, to be transmitted to each of the senators and representatives of Texas in Congress; and that this act take effect from and after its passage.

"C. G. KEENAN,

Speaker of the House of Representatives.

"JOHN A. GREER,

President of the Senate.

"Approved, November 25, 1850.

"P. H. BELL."

From the common sources of public information, it would appear that a very remarkable degree of unanimity prevailed, not only in the legisla-

ture, but among the people of Texas, in respect to the agreement of the state to that which had been proposed by Congress.

I can not refrain from congratulating Congress and the country on the success of this great and leading measure of conciliation and peace. The difficulties felt, and the dangers apprehended, from the vast acquisitions of territory under the late treaty with Mexico, seem now happily overcome by the wisdom of Congress. Within that territory there already exists one state, respectable for the amount of her population, distinguished for singular activity and enterprise, and remarkable, in many respects, from her condition and history. This new state has come into the Union with manifestations not to be mistaken of her attachment to that constitution and that government which now embrace her and her interests within their protecting and beneficent control.

Over the residue of the acquired territories regular territorial governments are now established, in the manner which has been most usual in the history of this government. Various other acts of Congress may undoubtedly be requisite for the benefit, as well as for the proper government, of these so distant parts of the country. But the same legislative wisdom which has triumphed over the principal difficulties, and accomplished the main end, may safely be relied on for whatever measures may yet be found necessary to perfect its work ; so that the acquisition of these vast regions to the United States may rather strengthen than weaken the constitution, which is over us all, and the Union, which affords such ample daily proofs of its inestimable value.

TEXAS PROCLAMATION.

DECEMBER 13, 1850.

WHEREAS, by an act of the Congress of the United States of the ninth of September, one thousand eight hundred and fifty, entitled "An act proposing to the state of Texas the establishment of her northern and western boundaries, the relinquishment by the said state of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a territorial government for New Mexico," it was provided, that the following propositions should be, and the same were thereby, offered to the state of Texas, which, when agreed to by the said state, in an act passed by the general assembly, should be binding and obligatory upon the United States and upon the said state of Texas : *Provided*, The said agreement by the said general assembly should be given on or before the first day of December, eighteen hundred and fifty ; namely : —

"*First*. The state of Texas will agree that her boundary on the north shall commence at the point at which the meridian of one hundred degrees west from Greenwich is intersected by the parallel of thirty-six degrees and thirty minutes north latitude, and shall run from said point due west to the meridian of one hundred and three degrees west from Greenwich ; thence her boundary shall run due south to the thirty-second degree of north latitude ; thence on the said parallel of thirty-two degrees

of north latitude to the Rio Bravo del Norte, and thence with the channel of said river to the gulf of Mexico."

"*Second.* The state of Texas cedes to the United States all her claim to territory exterior to the limits and boundaries which she agrees to establish by the first article of this agreement."

"*Third.* The state of Texas relinquishes all claim upon the United States for liability of the debts of Texas, and for compensation or indemnity for the surrender to the United States of her ships, forts, arsenals, customhouses, customhouse revenues, arms and munitions of war, and public buildings with their sites, which became the property of the United States at the time of the annexation."

"*Fourth.* The United States, in consideration of said establishment of boundaries, cession of claim to territory, and relinquishment of claims, will pay to the state of Texas the sum of ten millions of dollars in a stock bearing five per cent. interest, and redeemable at the end of fourteen years, the interest payable half-yearly at the treasury of the United States."

"*Fifth.* Immediately after the president of the United States shall have been furnished with an authentic copy of the act of the general assembly of Texas accepting these propositions, he shall cause the stock to be issued in favor of the state of Texas, as provided for in the fourth article of this agreement: *Provided also,* That no more than five millions of said stock shall be issued until the creditors of the state holding bonds and other certificates of stock of Texas for which duties on imports were specially pledged, shall at first file at the treasury of the United States releases of all claims against the United States for or on account of said bonds or certificates in such form as shall be prescribed by the secretary of the treasury and approved by the president of the United States. *Provided,* That nothing herein contained shall be construed to impair or qualify anything contained in the third article of the second section of the 'joint resolution for annexing Texas to the United States,' approved March first, eighteen hundred and forty-five, either as regards the number of states, that may hereafter be formed out of the state of Texas, or otherwise."

And whereas it was further provided, by the eighteenth section of the same act of Congress, "That the provisions of this act be, and they are hereby suspended until the boundary between the United States and the state of Texas shall be adjusted, and when such adjustment shall have been effected, the president of the United States shall issue his proclamation declaring this act to be in full force and operation:"

And whereas the legislature of the state of Texas, by an act approved the twenty-fifth of November last, entitled "An act accepting the propositions made by the United States to the state of Texas, in act of the Congress of the United States approved the ninth day of September, A. D. one thousand eight hundred and fifty, entitled 'An act proposing to the state of Texas the establishment of her northern and western boundaries, the relinquishment by the said state of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a territorial government for New Mexico,'"—of which act a copy authenticated under the seal of the state has been furnished to the president—enacts "that the state of Texas hereby agrees to and accepts said propositions and it is hereby declared that the said state shall be bound to the terms thereof, according to their true import and meaning:"

Now, therefore, I, Millard Fillmore, president of the United States of America, do hereby declare and proclaim that the said act of the Congress

of the United States, of the ninth day of September last, is in full force and operation.

Given under my hand, at the city of Washington, this thirteenth day of December, in the year of our Lord, one thousand eight hundred and fifty, and the seventy-fifth of the independence of these United States.

SPECIAL MESSAGE.

DECEMBER 17, 1850.

To the Senate of the United States :—

I HEREWITH transmit a letter from the secretary of war, communicating a report of a board of officers, to which, in pursuance of a resolution of the senate, passed on the 30th of September last, were submitted the questions proposed therein relative to the expediency and necessity of creating additional grades of commissioned officers in the army, and of enacting provisions authorizing officers of the army to exercise civil functions in emergencies to be enumerated, and restraining them from usurping the powers of civil functionaries.

SPECIAL MESSAGE.

JANUARY 3, 1851.

To the House of Representatives :—

By a resolution passed by the house of representatives on the 24th day of July, 1850, the president was requested to cause to be prepared and communicated to the house certain opinions of the attorneys-general therein specified. On inquiry, I learned that the force employed in the attorney-general's office was not sufficient to perform this work; consequently, I employed Benjamin F. Hall, Esq., a counsellor-at-law, on the 9th day of September last, to execute it, and requested him to commence it immediately. I informed him that I was not authorized to give any other assurances as to compensation than that it rested with Congress to provide and fix it. I believe Mr. Hall to be, in all respects, competent and well fitted for the task which he has undertaken, and diligent in the performance of it; and it appears to me that the most just mode of compensation will be to make a per-diem allowance of eight dollars per day for the time actually employed, to be paid on the certificate of the attorney-general.

I also transmit herewith a portion of the manuscript prepared in pursuance of said resolution, with a letter from Mr. Hall to me, indicating the mode in which he thinks the work should be prepared and printed, which appears to me worthy of consideration and adoption by the house.

FUGITIVE SLAVE PROCLAMATION.

FEBRUARY 18, 1851.

WHEREAS information has been received, that sundry lawless persons, principally persons of color, combined and confederated together, for the purpose of opposing by force the execution of the laws of the United States, did, at Boston, in Massachusetts, on the fifteenth of this month, make a violent assault on the marshal or deputy marshals of the United States, for the district of Massachusetts, in the courthouse, and did overcome the said officers, and did, by force, rescue from their custody a person arrested as a fugitive slave, and then and there a prisoner lawfully holden by the said marshal or deputy marshals of the United States, and other scandalous outrages did commit in violation of law :

Now, therefore, to the end that the authority of the laws may be maintained, and those concerned in violating them brought to immediate and condign punishment, I have issued this my proclamation, calling on all well-disposed citizens to rally to the support of the laws of their country, and requiring and commanding all officers civil and military, and all other persons, civil or military, who shall be found within the vicinity of this outrage, to be aiding and assisting, by all means in their power, in quelling this and other such combinations, and assisting the marshal and his deputies in recapturing the above-mentioned prisoner; and I do, especially, direct that prosecutions be commenced against all persons who shall have made themselves aiders or abettors in or to this flagitious offence; and I do further command that the district attorney of the United States, and all other persons concerned in the administration or execution of the laws of the United States, cause the foregoing offenders, and all such as aided, abetted, or assisted them, or shall be found to have harbored or concealed such fugitive, contrary to law, to be immediately arrested and proceeded with according to law.

FUGITIVE SLAVE MESSAGE.

FEBRUARY 19, 1851.

To the Senate of the United States :—

I HAVE received the resolution of the senate of the 18th instant, requesting me to lay before that body, if not incompatible with the public interest, any information I may possess in regard to an alleged recent case of a forcible resistance to the execution of the laws of the United States in the city of Boston, and to communicate to the senate, under the above conditions, what means I have adopted to meet the occurrence; and whether, in my opinion, any additional legislation is necessary to meet the exigency of the case, and to more vigorously execute existing laws.

The public newspapers contain an affidavit of Patrick Riley, a deputy marshal for the district of Massachusetts, setting forth the circumstances of the case—a copy of which affidavit is herewith communicated. Private and unofficial communications concur in establishing the main facts of this account; but no satisfactory official information has as yet been

received, and in some important respects the accuracy of the account has been denied by persons whom it implicates. Nothing could be more unexpected than that such a gross violation of law, such a high-handed contempt of the authority of the United States, should be perpetrated by a band of lawless confederates, at noonday, in the city of Boston, and in the very temple of justice. I regard this flagitious proceeding as being a surprise, not unattended by some degree of negligence; nor do I doubt that, if any such act of violence had been apprehended, thousands of the good citizens of Boston would have presented themselves, voluntarily and promptly, to prevent it; but the danger does not seem to have been timely made known or duly appreciated by those who were concerned in the execution of the process. In a community distinguished for its love of order and respect for the laws—among a people whose sentiment is liberty and law, and not liberty without law, nor above the law—such an outrage could only be the result of sudden violence, unhappily too much unprepared for to be successfully resisted. It would be melancholy, indeed, if we were obliged to regard this outbreak against the constitutional and legal authority of the government as proceeding from the general feeling of the people, in a spot which is proverbially called “the Cradle of American Liberty.”

Such, undoubtedly, is not the fact. It violates without question, the general sentiment of the people of Boston, and of a vast majority of the whole people of Massachusetts, as much as it violates the law, defies the authority of the government, and disgraces those concerned in it, their aiders and abettors.

It is nevertheless, my duty to lay before the senate, in answer to its resolution, some important facts and considerations connected with the subject.

A resolution of Congress, of September 23, 1789, declared:—

“That it be recommended to the legislatures of the several states to pass laws making it expressly the duty of the keepers of their jails to receive and safe keep therein all prisoners committed under the authority of the United States, until they shall be discharged by the course of the laws thereof, under the like penalties as in the case of prisoners committed under the authority of such states, respectively; the United States to pay for the use and keeping of such jails, at the rate of fifty cents per month for each prisoner that shall, under their authority, be committed thereto, during the time such prisoner shall be therein confined, and also to support such of said prisoners as shall be committed for offences.”

A further resolution of Congress, of the third of March, 1791, provides that “Whereas Congress did, by a resolution of the 23d of September, 1789, recommend to the several states to pass laws making it expressly the duty of the keepers of their jails to receive and safe keep therein all prisoners committed under the authority of the United States: in order, therefore, to insure the administration of justice—

“Resolved by the senate and house of representatives of the United States of America in Congress assembled, That, in case any state shall not have complied with the said recommendation, the marshal in such state, under the direction of the judge of the district, be authorized to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safekeeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his rea-

sonable expenses, incurred for the above purposes, to be paid out of the treasury of the United States."

And a resolution of Congress of March 3, 1821, provides that "where any state or states, having complied with the recommendation of Congress in the resolution of the twenty-third day of September, 1789, shall have withdrawn or shall hereafter withdraw, either in whole or in part, the use of their jails for prisoners committed under the authority of the United States, the marshal in such state or states, under the direction of the judge of the district, shall be, and hereby is, authorized and required to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safekeeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his reasonable expenses incurred for the above purposes, to be paid out of the treasury of the United States." These various provisions of the law remain unrepealed.

By the law of Massachusetts, as that law stood before the act of the legislature of that state of the fourth of March, 1843, the common jails in the respective counties were to be used for the detention of any persons detained or committed by the authority of the courts of the United States, as well as by the courts and magistrates of the state. But these provisions were abrogated and repealed by the act of the legislature of Massachusetts of the 24th of March, 1843.

That act declares that "no judge of any court of record of this commonwealth, and no justice of the peace, shall hereafter take cognizance, or grant certificate, in cases that may arise under the third section of an act of Congress, passed February 12, 1793, and entitled, 'An act respecting fugitives from justice, and persons escaping from the service of their masters,' to any person who claims any other person as a fugitive slave within the jurisdiction of the commonwealth." And it further declares that "no sheriff, deputy sheriff, coroner, constable, jailer, or other officer of the commonwealth, shall hereafter arrest or detain, or aid in the arrest, or detention, or imprisonment in any jail or other building belonging to this commonwealth, or to any county, city, or town thereof, of any person, for the reason that he is claimed as a fugitive slave."

And it further declares that "any justice of the peace, sheriff, deputy sheriff, coroner, constable, or jailer, who shall offend against the provisions of this law, by in any way acting directly or indirectly under the power conferred by the third section of the act of Congress aforementioned, shall forfeit a sum not exceeding one thousand dollars for every such offence, for the use of the county where said offence is committed, or shall be subject to imprisonment not exceeding one year in the county jail."

This law, it is obvious, had two objects: the first was to make it a penal offence in all officers and magistrates of the commonwealth to exercise the powers conferred on them by the act of Congress of the 12th of February, 1793, entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters," and which powers they were fully competent to perform up to the time of this inhibition and penal enactment; second, to refuse the use of the jails of the state for the detention of any person claimed as a fugitive slave.

It is deeply to be lamented that the purpose of these enactments is quite apparent. It was to prevent, as far as the legislature of the state could prevent, the laws of Congress, passed for the purpose of carrying

into effect that article of the constitution of the United States which declares that "no person held to service or labor in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due," from being carried into effect. But these acts of state legislation, although they may cause embarrassment and create expense, can not derogate either from the duty or the authority of Congress to carry out fully and fairly the plain and imperative constitutional provision for the delivery of persons bound to labor in one state, and escaping into another, to the party to whom such labor may be due. It is quite clear that, by the resolution of Congress of March 3, 1821, the marshal of the United States, in any state in which the use of the jails of the state has been withdrawn in whole or in part from the purpose of the detention of persons committed under the authority of the United States, is not only empowered, but expressly required, under the direction of the judge of the district, to hire a convenient place for the safekeeping of prisoners committed under authority of the United States. It will be seen, from papers accompanying this communication, that the attention of the marshal of Massachusetts was distinctly called to this provision of the law by a letter from the secretary of the navy, of the date of October 28th last. There is no official information that the marshal has provided any such place for the confinement of his prisoners. If he has not, it is to be regretted that this power was not exercised by the marshal, under the direction of the district judge, immediately on the passage of the act of the legislature of Massachusetts of the 24th of March, 1843, and especially that it was not exercised on the passage of the fugitive slave law of the last session, or when the attention of the marshal was afterward particularly drawn to it.

It is true that the escape from the deputy marshals in this case was not owing to the want of a prison or place of confinement; but still it is not easy to see how the prisoner could have been safely and conveniently detained, during an adjournment of the hearing for some days, without such place of confinement. If it shall appear that no such place has been obtained, directions to the marshal will be given to lose no time in the discharge of this duty.

I transmit to the senate the copy of a proclamation issued by me on the 18th instant in relation to these unexpected and deplorable occurrences in Boston, together with copies of instructions from the departments of war and navy, relative to the general subject. And I communicate, also, copies of telegraphic despatches transmitted from the department of state to the district attorney and marshal of the United States for the district of Massachusetts, and their answers thereto.

In regard to the last branch of the inquiry made by the resolution of the senate, I have to observe that the constitution declares that "he shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States," and that "Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasions." From which it appears that the army and navy are, by the constitution, placed under the control of the executive; and, probably, no legislation of Congress could add to or diminish the power thus given, but by increasing or diminishing, or abolishing altogether, the army and navy. But not so with the militia. The president

can not call the militia into service, even to execute the laws or repel invasions, but by the authority of acts of Congress passed for that purpose. But when the militia are called into service in the manner prescribed by law, then the constitution itself gives the command to the president. Acting on this principle, Congress, by the act of February 28, 1795, authorized the president to call forth the militia to repel invasion, and "suppress insurrections against a state government, and to suppress combinations against the laws of the United States, and cause the laws to be faithfully executed." But the act proceeds to declare that whenever it may be necessary, in the judgment of the president, to use the military force thereby directed to be called forth, the president shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes within a limited time. These words are broad enough to require a proclamation in all cases where militia are called out under that act, whether to repel invasion, or suppress an insurrection, or to aid in executing the laws. This section has, consequently, created some doubt whether the militia could be called forth to aid in executing the laws without a previous proclamation. But yet the proclamation seems to be in words directed only against insurgents, and to require them to disperse; thereby implying, not only an insurrection, but an organized, or, at least, an embodied force. Such a proclamation in aid of the civil authority would often defeat the whole object, by giving such notice to persons intended to be arrested that they would be enabled to fly or secrete themselves. The force may be wanted sometimes to make the arrest, and also sometimes to protect the officer after it is made, and to prevent a rescue. I would, therefore, suggest that this section be modified by declaring that nothing therein contained shall be construed to require any previous proclamation when the militia are called forth, either to repel invasion, to execute the laws, or suppress combinations against them; and that the president may make such call and place such militia under the control of any civil officer of the United States, to aid him in executing the laws or suppressing such combinations; and, while so employed, they shall be paid by and subsisted at the expense of the United States.

Congress, not probably adverting to the difference between the militia and the regular army, by the act of March 3, 1807, authorized the president to use the land and naval forces of the United States for the same purposes for which he might call forth the militia, and subject to the same proclamation. But the power of the president, under the constitution, as commander of the army and navy, is general; and his duty to see the laws faithfully executed is general and positive; and the act of 1807 ought not to be construed as evincing any disposition in Congress to limit or restrain this constitutional authority. For greater certainty, however, it may be well that Congress should modify or explain this act in regard to its provisions for the employment of the army and navy of the United States, as well as that in regard to calling forth the militia. It is supposed not to be doubtful that all citizens, whether enrolled in the militia or not, may be summoned as members of the posse comitatus, either by the marshal or a commissioner, according to law, and that it is their duty to obey such summons. But perhaps it may be doubted whether the marshal or a commissioner can summon as the posse comitatus an organized militia force, acting under its own appropriate officers, without the consent of such officers. This point may deserve the consideration of Congress.

I use this occasion to repeat the assurance that, so far as depends on me, the laws shall be faithfully executed, and all forcible opposition to them suppressed; and to this end I am prepared to exercise, whenever it may become necessary, the power constitutionally vested in me to the fullest extent. I am fully persuaded that the great majority of the people of this country are warmly and strongly attached to the constitution, the preservation of the Union, the just support of the government, and the maintenance of the authority of law. I am persuaded that their earnest wishes and the line of my constitutional duty entirely concur; and I doubt not firmness, moderation, and prudence, strengthened and animated by the general opinion of the people, will prevent the repetition of occurrences disturbing the public peace and reprobated by all good men.

CUBA PROCLAMATION.

APRIL 25, 1851.

WHEREAS there is reason to believe that a military expedition is about to be fitted out in the United States, with the intention to invade the island of Cuba, a colony of Spain, with which this country is at peace; and whereas it is believed that this expedition is instigated and set on foot chiefly by foreigners, who dare to make our shores the scene of their guilty and hostile preparations against a friendly power, and seek by falsehood and misrepresentation to seduce our own citizens, especially the young and inconsiderate, into their wicked schemes, an ungrateful return for the benefits conferred upon them by this people in permitting them to make our country an asylum from oppression, and in flagrant abuse of the hospitality thus extended to them: And whereas such expeditions can only be regarded as adventures for plunder and robbery, and must meet the condemnation of the civilized world, while they are derogatory to the character of our country, in violation of the laws of nations, and expressly prohibited by our own, which statutes declare "that if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or domains of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years:"

Now, therefore, I have issued this my proclamation, warning all persons who shall connect themselves with any such enterprise or expedition, in violation of our laws and national obligations, that they will thereby subject themselves to the heavy penalties denounced against such offences, and will forfeit their claim to the protection of this government, or any interference on their behalf, no matter to what extremities they may be reduced in consequence of their illegal conduct; and, therefore, I exhort all good citizens, as they regard our national reputation—as they respect their own laws, and the laws of nations—as they value the blessings of peace, and the welfare of their country, to discountenance, and by all lawful means prevent, any such enterprise; and I call upon every officer of this government, civil or military, to use all efforts in his power to arrest for trial and punishment, every such offender against the laws of the country.

SECOND ANNUAL MESSAGE.

DECEMBER 2, 1851.

Fellow-Citizens of the Senate and of the House of Representatives :—

I CONGRATULATE you and our common constituency upon the favorable auspices under which you meet for your first session. Our country is at peace with all the world. The agitation which, for a time, threatened to disturb the fraternal relations which make us one people, is fast subsiding, and a year of general prosperity and health has crowned the nation with unusual blessings. None can look back to the dangers which are passed, or forward to the bright prospect before us, without feeling a thrill of gratification, at the same time that he must be impressed with a grateful sense of our profound obligations to a beneficent Providence, whose paternal care is so manifest in the happiness of this highly-favored land.

Since the close of the last Congress, certain Cubans, and other foreigners resident in the United States, who were more or less concerned in the previous invasion of Cuba, instead of being discouraged by its failure, have again abused the hospitality of this country, by making it the scene of the equipment of another military expedition against that possession of her catholic majesty, in which they were countenanced, aided, and joined by citizens of the United States. On receiving intelligence that such designs were entertained, I lost no time in issuing such instructions to the proper officers of the United States, as seemed to be called for by the occasion. By the proclamation, a copy of which is herewith submitted, I also warned those who might be in danger of being inveigled into this scheme, of its unlawful character, and of the penalties which they would incur. For some time there was reason to hope that these measures had sufficed to prevent any such attempt. This hope, however, proved to be delusive. Very early in the morning of the third of August, a steamer called the Pampero departed from New Orleans for Cuba, having on board upward of four hundred armed men, with evident intentions to make war upon the authorities of the island. This expedition was set on foot, in palpable violation of the laws of the United States. Its leader was a Spaniard, and several of the chief officers, and some others engaged in it, were foreigners. The persons composing it, however, were mostly citizens of the United States.

Before the expedition set out, and probably before it was organized, a slight insurrectionary movement, which appears to have been soon suppressed, had taken place in the eastern quarter of Cuba. The importance of this movement was unfortunately so much exaggerated in the accounts of it published in this country, that these adventurers seem to have been led to believe that the Creole population of the island not only desired to throw off the authority of the mother-country, but had resolved upon that step, and had begun a well-concerted enterprise for effecting it. The persons engaged in the expedition were generally young and ill-informed. The steamer in which they embarked left New Orleans stealthily and without a clearance. After touching at Key West, she proceeded to the coast of Cuba, and, on the night between the 11th and 12th of August, landed the persons on board at Playtas, within about twenty leagues of Havana.

The main body of them proceeded to, and took possession of, an inland

village, six leagues distant, leaving others to follow in charge of the baggage, as soon as the means of transportation could be obtained. The latter, having taken up their line of march to connect themselves with the main body, and having proceeded about four leagues into the country, were attacked on the morning of the 13th by a body of Spanish troops, and a bloody conflict ensued; after which they retreated to the place of disembarkation, where about fifty of them obtained boats and re-embarked therein. They were, however, intercepted among the keys near the shore by a Spanish steamer cruising on the coast, captured and carried to Havana, and, after being examined before a military court, were sentenced to be publicly executed, and the sentence was carried into effect on the 16th of August.

On receiving information of what had occurred, Commodore Foxhall A. Parker was instructed to proceed in the steam-frigate *Saranac* to Havana, and inquire into the charges against the persons executed, the circumstances under which they were taken, and whatsoever referred to their trial and sentence. Copies of the instructions from the department of state to him, and of his letters to that department, are herewith submitted.

According to the record of the examination, the prisoners all admitted the offences charged against them, of being hostile invaders of the island. At the time of their trial and execution, the main body of the invaders was still in the field, making war upon the Spanish authorities and Spanish subjects. After the lapse of some days, being overcome by the Spanish troops, they dispersed on the 24th of August; Lopez, their leader, was captured some days after, and executed on the 1st of September. Many of his remaining followers were killed, or died of hunger and fatigue, and the rest were made prisoners. Of these, none appear to have been tried or executed. Several of these were pardoned upon application of their friends and others, and the rest, about one hundred and sixty in number, were sent to Spain. Of the final disposition made of these, we have no official information.

Such is the melancholy result of this illegal and ill-fated expedition. Thus, thoughtless young men have been induced, by false and fraudulent representations, to violate the law of their country, through rash and unfounded expectations of assisting to accomplish political revolutions in other states, and have lost their lives in the undertaking. Too severe a judgment can hardly be passed by the indignant sense of the community, upon those who, being better informed themselves, have yet led away the ardor of youth and an ill-directed love of political liberty. The correspondence between this government and that of Spain relating to this transaction is herewith communicated.

Although these offenders against the laws have forfeited the protection of their country, yet the government may, so far as is consistent with its obligations to other countries, and its fixed purpose to maintain and enforce the laws, entertain sympathy for their unoffending families and friends, as well as a feeling of compassion for themselves. Accordingly, no proper effort has been spared, and none will be spared, to procure the release of such citizens of the United States, engaged in this unlawful enterprise, as are now in confinement in Spain; but it is to be hoped that such interposition with the government of that country may not be considered as affording any ground of expectation that the government of the United States will, hereafter, feel itself under any obligation of duty to intercede for the liberation or pardon of such persons as are flagrant

offenders against the law of nations and the laws of the United States. These laws must be executed. If we desire to maintain our respectability among the nations of the earth, it behooves us to enforce steadily and sternly the neutrality acts passed by Congress, and to follow, as far as may be, the violation of those acts with condign punishment.

But what gives a peculiar criminality to this invasion of Cuba, is, that under the lead of Spanish subjects and with the aid of citizens of the United States, it had its origin, with many, in motives of cupidity. Money was advanced by individuals, probably in considerable amounts, to purchase Cuban bonds, as they have been called, issued by Lopez, sold, doubtless, at a very large discount, and for the payment of which the public lands and public property of Cuba, of whatever kind, and the fiscal resources of the people and government of that island, from whatever source to be derived, were pledged, as well as the good faith of the government expected to be established. All these means of payment, it is evident, were only to be obtained by a process of bloodshed, war, and revolution. None will deny that those who set on foot military expeditions against foreign states by means like these, are far more culpable than the ignorant and the necessitous whom they induce to go forth as the ostensible parties in the proceeding. These originators of the invasion of Cuba seem to have determined, with coolness and system, upon an undertaking which should disgrace their country, violate its laws, and put to hazard the lives of ill-informed and deluded men. You will consider whether further legislation be necessary to prevent the perpetration of such offences in future.

No individuals have a right to hazard the peace of the country, or to violate its laws, upon vague notions of altering or reforming governments in other states. This principle is not only reasonable in itself and in accordance with public law, but is engrafted into the codes of other nations as well as our own. But while such are the sentiments of this government, it may be added that every independent nation must be presumed to be able to defend its possessions against unauthorized individuals banded together to attack them. The government of the United States, at all times since its establishment, has abstained and has sought to restrain the citizens of the country from entering into controversies between other powers and to observe all the duties of neutrality. At an early period of the government, in the administration of Washington, several laws were passed for this purpose. The main provision of these laws were re-enacted by the act of April, 1818, by which, among other things, it was declared that if any person shall, within the territory or jurisdiction of the United States, begin, or set on foot, or provide, or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or dominion of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years; and this law has been executed and enforced, to the full extent of the power of the government, from that day to this.

In proclaiming and adhering to the doctrine of neutrality and non-interference, the United States have not followed the lead of other civilized nations; they have taken the lead themselves, and have been followed by others. This was admitted by one of the most eminent of modern British statesmen, who said in parliament, while a member of the crown, "that

if he wished for a guide in a system of neutrality, he should take that laid down by America in the days of Washington and the secretaryship of Jefferson ;" and we see, in fact, that the act of Congress of 1818 was followed, the succeeding year, by an act of the parliament of England, substantially the same in its general provisions. Up to that time there had been no similar law in England, except certain highly penal statutes passed in the reign of George II., prohibiting English subjects from enlisting in foreign service, the avowed object of which statutes was, that foreign armies, raised for the purpose of restoring the house of Stuart to the throne, should not be strengthened by recruits from England herself.

All must see that difficulties may arise in carrying the laws referred to into execution in a country now having three or four thousand miles of seacoast, with an infinitive number of ports and harbors and small inlets from some of which unlawful expeditions may suddenly set forth, without the knowledge of government, against the possessions of foreign states.

Friendly relations with all, but entangling alliances with none, has long been a maxim with us. Our true mission is not to propagate our opinions, or impose upon other countries our form of government, by artifice or force ; but to teach by example, and show by our success, moderation, and justice, the blessings of self-government, and the advantages of free institutions. Let every people choose for itself, and make and alter its political institutions to suit its own condition and convenience. But, while we avow and maintain this neutral policy ourselves, we are anxious to see the same forbearance on the part of other nations, whose forms of government are different from our own. The deep interest which we feel in the spread of liberal principles and the establishment of free governments, and the sympathy with which we witness every struggle against oppression, forbid that we should be indifferent to a case in which the strong arm of a foreign power is invoked to stifle public sentiment and repress the spirit of freedom in any country.

The governments of Great Britain and France have issued orders to their naval commanders on the West India station to prevent by force, if necessary, the landing of adventurers from any nation on the island of Cuba with hostile intent. The copy of a memorandum of a conversation on this subject between the chargé d'affaires of her Britannic majesty, and the acting secretary of state, and of a subsequent note of the former to the department of state, are herewith submitted, together with a copy of a note of the acting secretary of state to the minister of the French republic, and of the reply of the latter, on the same subject. These papers will acquaint you with the grounds of this interposition of the two leading commercial powers of Europe, and with the apprehensions, which this government could not fail to entertain, that such interposition, if carried into effect, might lead to abuses in derogation of the maritime rights of the United States. The maritime rights of the United States are founded on a firm, secure, and well-defined basis ; they stand upon the ground of national independence and public law, and will be maintained in all their full and just extent.

The principle which this government has heretofore solemnly announced it still adheres to, and will maintain under all circumstances and at all hazards. That principle is, that in every regularly-documented merchant-vessel, the crew who navigate it, and those on board of it, will find their protection in the flag which is over them. No American ship can

be allowed to be visited or searched for the purpose of ascertaining the character of individuals on board, nor can there be allowed any watch by the vessels of any foreign nation over American vessels on the coast of the United States or the seas adjacent thereto. It will be seen by the last communication from the British chargé d'affaires to the department of state, that he is authorized to assure the secretary of state that every care will be taken that, in executing the preventive measures against the expeditions which the United States government itself has denounced as not being entitled to the protection of any government, no interference shall take place with the lawful commerce of any nation.

In addition to the correspondence on this subject, herewith submitted, official information has been received at the department of state of assurances by the French government that, in the orders given to the French naval forces, they were expressly instructed, in any operations they might engage in, to respect the flag of the United States wherever it might appear, and to commit no act of hostility upon any vessel or armament under its protection.

Ministers and consuls of foreign nations are the means and agents of communication between us and those nations, and it is of the utmost importance that, while residing in the country, they should feel a perfect security so long as they faithfully discharge their respective duties and are guilty of no violation of our laws. This is the admitted law of nations, and no country has a deeper interest in maintaining it than the United States. Our commerce spreads over every sea and visits every clime, and our ministers and consuls are appointed to protect the interests of that commerce, as well as to guard the peace of the country and maintain the honor of its flag. But how can they discharge these duties unless they be themselves protected; and, if protected, it must be by the laws of the country in which they reside. And what is due to our own public functionaries residing in foreign nations, is exactly the measure of what is due to the functionaries of other governments residing here. As in war, the bearers of flags of truce are sacred, or else wars would be interminable; so in peace, ambassadors, public ministers, and consuls, charged with friendly national intercourse, are objects of especial respect and protection, each according to the rights belonging to his rank and station. In view of these important principles, it is with deep mortification and regret I announce to you that, during the excitement growing out of the executions at Havana, the office of her catholic majesty's consul at New Orleans was assailed by a mob, his property destroyed, the Spanish flag found in the office carried off and torn in pieces, and he himself induced to flee for his personal safety, which he supposed to be in danger. On receiving intelligence of these events, I forthwith directed the attorney of the United States residing at New Orleans to inquire into the facts and the extent of the pecuniary loss sustained by the consul, with the intention of laying them before you, that you might make provision for such indemnity to him as a just regard for the honor of the nation and the respect which is due to a friendly power might, in your judgment, seem to require. The correspondence upon this subject between the secretary of state and her catholic majesty's minister plenipotentiary is herewith transmitted.

The occurrence at New Orleans has led me to give my attention to the state of our laws in regard to foreign ambassadors, ministers, and consuls. I think the legislation of the country is deficient in not providing suffi-

ciently for either the protection or the punishment of consuls. I therefore recommend the subject to the consideration of Congress.

Your attention is again invited to the question of reciprocal trade between the United States and Canada and other British possessions near our frontier. Overtures for a convention upon this subject have been received from her Britannic majesty's minister plenipotentiary, but it seems to be in many respects preferable that the matter should be regulated by reciprocal legislation. Documents are laid before you showing the terms which the British government is willing to offer, and the measures which it may adopt, if some arrangement upon this subject shall not be made.

From the accompanying copy of a note from the British legation at Washington, and the reply of the department of state thereto, it will appear that her Britannic majesty's government is desirous that a part of the boundary line between Oregon and the British possessions should be authoritatively marked out, and that an intention was expressed to apply to Congress for an appropriation to defray the expense thereof on the part of the United States. Your attention to this subject is accordingly invited, and a proper appropriation recommended.

A convention for the adjustment of claims of citizens of the United States against Portugal, has been concluded, and the ratifications have been exchanged. The first instalment of the amount to be paid by Portugal fell due on the 30th of September last, and has been paid.

The president of the French republic, according to the provisions of the convention, has been selected as arbiter in the case of the General Armstrong, and has signified that he accepts the trust, and the high satisfaction he feels in acting as the common friend of two nations with which France is united by sentiments of sincere and lasting amity.

The Turkish government has expressed its thanks for the kind reception given to the sultan's agent, Amin Bey, on the occasion of his recent visit to the United States. On the 28th of February last, a despatch was addressed by the secretary of state to Mr. Marsh, the American minister at Constantinople, instructing him to ask of the Turkish government permission for the Hungarians, then imprisoned within the dominions of the sublime porte, to remove to this country. On the 3d of March last, both houses of Congress passed a resolution, requesting the president to authorize the employment of a public vessel to convey to this country Louis Kossuth and his associates in captivity.

The instruction above referred to was complied with, and the Turkish government having released Governor Kossuth and his companions from prison, on the 10th of September last they embarked on board of the United States steam-frigate Mississippi, which was selected to carry into effect the resolution of Congress. Governor Kossuth left the Mississippi at Gibraltar, for the purpose of making a visit to England, and may shortly be expected in New York. By communications to the department of state he has expressed his grateful acknowledgments for the interposition of this government in behalf of himself and his associates. This country has been justly regarded as a safe asylum for those whom political events have exiled from their own homes in Europe; and it is recommended to Congress to consider in what manner Governor Kossuth and his companions, brought hither by its authority, shall be received and treated.

It is earnestly to be hoped that the differences which have for some time past been pending between the government of the French republic

and that of the Sandwich Islands, may be peaceably and durably adjusted, so as to secure the independence of those islands. Long before the events which have of late imparted so much importance to the possessions of the United States on the Pacific, we acknowledged the independence of the Hawaiian government. This government was first in taking that step, and several of the leading powers of Europe immediately followed. We were influenced in this measure by the existing and prospective importance of the islands as a place of refuge and refreshment for our vessels engaged in the whale fishery, and by the consideration that they lie in the course of the great trade which must, at no distant day, be carried on between the western coast of North America and Eastern Asia.

We were also influenced by a desire that those islands should not pass under the control of any other great maritime state, but should remain in an independent condition, and so be accessible and useful to the commerce of all nations. I need not say that the importance of these considerations has been greatly enhanced by the sudden and vast development which the interests of the United States have attained in California and Oregon; and the policy heretofore adopted in regard to those islands will be steadily pursued.

It is gratifying not only to those who consider the commercial interests of nations, but also to all who favor the progress of knowledge and the diffusion of religion, to see a community emerge from a savage state and attain such a degree of civilization in those distant seas.

It is much to be deplored that the internal tranquillity of the Mexican republic should again be seriously disturbed; for, since the peace between that republic and the United States, it had enjoyed such comparative repose that the most favorable anticipations for the future might, with a degree of confidence, have been indulged. These, however, have been thwarted by the recent outbreak in the state of Tamaulipas, on the right bank of the Rio Bravo. Having received information that persons from the United States had taken part in the insurrection, and apprehending that their example might be followed by others, I caused orders to be issued for the purpose of preventing any hostile expeditions against Mexico from being set on foot in violation of the laws of the United States. I likewise issued a proclamation upon the subject, a copy of which is herewith laid before you. This appeared to be rendered imperative by the obligations of treaties and the general duties of good neighborhood.

In my last annual message I informed Congress that citizens of the United States had undertaken the connection of the two oceans by means of a railroad across the isthmus of Tehuantepec, under a grant of the Mexican government to a citizen of that republic; and that this enterprise would probably be prosecuted with energy whenever Mexico should consent to such stipulations with the government of the United States as should impart a feeling of security to those who should invest their property in the enterprise.

A convention between the two governments for the accomplishment of that end has been ratified by this government, and only awaits the decision of the Congress and the executive of that republic.

Some unexpected difficulties and delays have arisen in the ratification of that convention by Mexico, but it is to be presumed that her decision will be governed by just and enlightened views, as well of the general importance of the object, as of her own interests and obligations.

In negotiating upon this important subject, this government has had in

view one, and only one object. That object has been, and is, the construction or attainment of a passage from ocean to ocean, the shortest and the best for travellers and merchandise, and equally open to all the world. It has sought to obtain no territorial acquisition, nor any advantages peculiar to itself; and it would see, with the greatest regret, that Mexico should oppose any obstacle to the accomplishment of an enterprise which promises so much convenience to the whole commercial world, and such eminent advantages to Mexico herself. Impressed with these sentiments and these convictions, the government will continue to exert all proper efforts to bring about the necessary arrangement with the republic of Mexico for the speedy completion of the work.

For some months past, the republic of Nicaragua has been the theatre of one of those civil convulsions from which the cause of free institutions, and the general prosperity and social progress of the states of Central America, have so often and so severely suffered. Until quiet shall have been restored, and a government apparently stable shall have been organized, no advance can prudently be made in disposing of the questions pending between the two countries.

I am happy to announce that an inter-oceanic communication from the mouth of the St. John to the Pacific has been so far accomplished as that passengers have actually traversed it, and merchandise has been transported over it; and when the canal shall have been completed according to the original plan, the means of communication will be further improved. It is understood that a considerable part of the railroad across the isthmus of Panama has been completed, and that the mail and passengers will in future be conveyed thereon.

Whichever of the several routes between the two oceans may ultimately prove most eligible for travellers to and from the different states on the Atlantic and gulf of Mexico and our coast on the Pacific, there is little reason to doubt that all of them will be useful to the public, and will liberally reward that individual enterprise by which alone they have been or are expected to be carried into effect.

Peace has been concluded between the contending parties in the island of St. Domingo, and, it is hoped, upon a durable basis. Such is the extent of our commercial relations with that island, that the United States can not fail to feel a strong interest in its tranquillity.

The office of commissioner to China remains unfilled; several persons have been appointed, and the place has been offered to others, all of whom have declined its acceptance, on the ground of the inadequacy of the compensation. The annual allowance by law is six thousand dollars, and there is no provision for any outfit. I earnestly recommend the consideration of this subject to Congress. Our commerce with China is highly important, and is becoming more and more so, in consequence of the increasing intercourse between our ports on the Pacific coast, and Eastern Asia. China is understood to be a country in which living is very expensive, and I know of no reason why the American commissioner sent thither should not be placed, in regard to compensation, on an equal footing with ministers who represent this country at the courts of Europe.

By reference to the report of the secretary of the treasury, it will be seen that the aggregate receipts for the last fiscal year amounted to \$52,312,979.87; which, with the balance in the treasury on the 1st July, 1850, gave, as the available means for the year, the sum of \$58,917,524.36.

The total expenditures for the same period were \$48,005,878.68.
 The total imports for the year ending June 30, 1851, were. \$215,725,995.
 Of which there were in specie..... 4,967,901
 The exports for the same period were..... 217,517,130
 Of which there were of domestic products...\$178,546,555
 Foreign goods re-exported..... 9,738,695
 Specie..... 29,231,880
 -----\$217,517,130

Since the 1st of December last, the payments in cash on account of the public debt, exclusive of interest, have amounted to \$7,501,456.56; which, however, includes the sum of \$3,242,400 paid under the twelfth article of the treaty with Mexico, and the further sum of \$2,591,213.45, being the amount of awards to American citizens under the late treaty with Mexico, for which the issue of stock was authorized, but which was paid in cash from the treasury.

The public debt on the 20th ultimo, exclusive of the stock authorized to be issued to Texas by the act of September 9, 1850, was \$62,560,395.26.

The receipts for the next fiscal year are estimated at \$51,800,000; which, with the probable unappropriated balance in the treasury on the 30th June next, will give, as the probable available means for that year, the sum of \$63,258,743.09.

It has been deemed proper, in view of the large expenditures consequent upon the acquisition of territory from Mexico, that the estimates for the next fiscal year should be laid before Congress in such manner as to distinguish the expenditures so required from the otherwise ordinary demands upon the treasury.

The total expenditures for the next fiscal year are estimated at \$42,892,299.19 of which there is required for the ordinary purposes of the government, other than those consequent upon the acquisition of our new territories, and deducting the payments on account of the public debt, the sum of \$33,343,198.08; and for the purposes connected directly or indirectly with those territories, and in the fulfilment of the obligations of the government, contracted in consequence of their acquisition, the sum of \$9,549,101.11.

If the views of the secretary of the treasury in reference to the expenditures required for these territories shall be met by corresponding action on the part of Congress, and appropriations made in accordance therewith, there will be an estimated unappropriated balance in the treasury on the 30th June, 1853, of \$20,366,443.90, wherewith to meet that portion of the public debt due on the 1st of July following, amounting to \$6,237,931.35, as well as any appropriations which may be made beyond the estimates.

In thus referring to the estimated expenditures on account of our newly-acquired territories, I may express the hope that Congress will concur with me in the desire that a liberal course of policy may be pursued toward them, and that every obligation, express or implied, entered into in consequence of their acquisition, shall be fulfilled by the most liberal appropriations for that purpose.

The values of our domestic exports for the last fiscal year, as compared with those of the previous year, exhibit an increase of \$43,646,322. At first view, this condition of our trade with foreign nations would seem to present the most flattering hopes of its future prosperity. An examination of the details of our exports, however, will show that the increased value

of our exports for the last fiscal year is to be found in the high price of cotton which prevailed during the first half of that year, which price has since declined about one half.

The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from \$68,701,921 in 1847, to \$26,051,373 in 1850, and to \$21,848,653 in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year.

The aggregate values of rice exported during the last fiscal year, as compared with the previous year, also exhibit a decrease amounting to \$460,917, which, with a decline in the values of the exports of tobacco for the same period, make an aggregate decrease in these two articles of \$1,156,751.

The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who promoted and established it, would tend to benefit the farming population of this country, by increasing the demand and raising the price of agricultural products in foreign markets.

The foregoing facts, however, seem to show incontestably, that no such result has followed the adoption of this policy. On the contrary, notwithstanding the repeal of the restrictive corn laws in England, the foreign demand for the products of the American farmer has steadily declined, since the short crops and consequent famine in a portion of Europe have been happily replaced by full crops and comparative abundance of food.

It will be seen, by recurring to the commercial statistics for the past year, that the value of our domestic exports has been increased in the single item of raw cotton, by \$40,000,000 over the value of that export for the year preceding. This is not due to any increased general demand for that article, but to the short crop of the preceding year, which created an increased demand and an augmented price for the crop of last year. Should the cotton crop now going forward to market be only equal in quantity to that of the year preceding, and be sold at the present prices, then there would be a falling off in the value of our exports, for the present fiscal year, of at least \$40,000,000, compared with the amount exported for the year ending 30th June, 1851.

The production of gold in California, for the past year, seems to promise a large supply of that metal from that quarter for some time to come. This large annual increase of the currency of the world must be attended with its usual results. These have been already partially disclosed, in the enhancement of prices, and a rising spirit of speculation and adventure, tending to over-trading, as well at home as abroad. Unless some salutary check shall be given to these tendencies, it is to be feared that importations of foreign goods, beyond a healthy demand in this country, will lead to a sudden drain of the precious metals from us, bringing with it, as it has done in former times, the most disastrous consequences to the business and capital of the American people.

The exports of specie to liquidate our foreign debt during the past fiscal year have been \$24,263,979 over the amount of specie imported. The exports of specie during the first quarter of the present fiscal year have been \$14,651,827. Should specie continue to be exported at this rate for the remaining three quarters of this year, it will drain from our metallic currency during the year ending 30th June, 1852, the enormous amount of \$58,607,308.

In the present prosperous condition of the national finances, it will become the duty of Congress to consider the best mode of paying off the public debt. If the present and anticipated surplus in the treasury should not be absorbed by appropriations of an extraordinary character, this surplus should be employed in such way, and under such restrictions as Congress may enact, in extinguishing the outstanding debt of the nation.

By reference to the act of Congress approved 9th September, 1850, it will be seen that, in consideration of certain concessions by the state of Texas, it is provided that the "United States shall pay to the state of Texas the sum of ten millions of dollars, in a stock bearing five per cent. interest, and redeemable at the end of fourteen years, the interest payable half yearly at the treasury of the United States."

In the same section of the law it is further provided "that no more than five millions of said stock shall be issued until the creditors of the state holding bonds and other certificates of stock of Texas, *for which duties on imports were specially pledged*, shall first file at the treasury of the United States releases of all claims against the United States, for or on account of said bonds or certificates, in such forms as shall be prescribed by the secretary of the treasury, and approved by the president of the United States."

The form of release thus provided for has been prescribed by the secretary of the treasury, and approved. It has been published in all the leading newspapers in the commercial cities of the United States, and all persons holding claims of the kind specified in the foregoing proviso were required to file their releases (in the form thus prescribed) in the treasury of the United States, on or before the 1st day of October, 1851. Although this publication has been continued from the 25th day of March, 1851, yet up to the 1st of October last comparatively few releases had been filed by the creditors of Texas.

The authorities of the state of Texas, at the request of the secretary of the treasury, have furnished a schedule of the public debt of that state created prior to her admission into the Union, with a copy of the laws under which each class was contracted.

I have, from the documents furnished by the state of Texas, determined the classes of claims which in my judgment fall within the provision of the act of Congress of the 9th of September, 1850.

On being officially informed of the acceptance by Texas of the propositions contained in the act referred to, I caused the stock to be prepared, and the five millions which are to be issued unconditionally, bearing an interest of five per cent. from the 1st of January, 1851, have been for some time ready to be delivered to the state of Texas. The authorities of Texas, up to the present time, have not authorized any one to receive this stock, and it remains in the treasury department, subject to the order of Texas.

The releases, required by law to be deposited in the treasury, not having been filed there, the remaining five millions have not been issued. This last amount of the stock will be withheld from Texas until the conditions upon which it is to be delivered shall be complied with by the creditors of that state, unless Congress shall otherwise direct by a modification of the law.

In my last annual message, to which I respectfully refer, I stated briefly the reasons which induced me to recommend a modification of the present tariff, by converting the ad-valorem into a specific duty, wherever the

article imported was of such a character as to permit it, and that such a discrimination should be made, in favor of the industrial pursuits of our own country, as to encourage home production without excluding foreign competition.

The numerous frauds which continue to be practised upon the revenue by false invoices and under-valuations, constitute an unanswerable reason for adopting specific instead of ad-valorem duties in all cases where the nature of the commodity does not forbid it. A striking illustration of these frauds will be exhibited in the report of the secretary of the treasury, showing the customhouse valuation of articles imported under a former law subject to specific duties, when there was no inducement to under-valuation, and the customhouse valuations of the same articles under the present system of ad-valorem duties, so greatly reduced as to leave no doubt of the existence of the most flagrant abuses under the existing laws. This practical evasion of the present law, combined with the languishing condition of some of the great interests of the country caused by over-importations and consequent depressed prices, and with the failure in obtaining a foreign market for our increasing surplus of breadstuffs and provisions, has induced me again to recommend a modification of the existing tariff.

The report of the secretary of the interior, which accompanies this communication, will present a condensed statement of the operations of that important department of the government.

It will be seen that the cash sales of the public lands exceed those of the preceding year, and that there is reason to anticipate a still further increase, notwithstanding the large donations which have been made to many of the states, and the liberal grants to individuals as a reward for military services. This fact furnishes very gratifying evidence of the growing wealth and prosperity of our country.

Suitable measures have been adopted for commencing the survey of the public lands in California and Oregon. Surveying parties have been organized, and some progress has been made in establishing the principal base and meridian lines. But further legislation and additional appropriations will be necessary before the proper subdivisions can be made, and the general land system extended over those remote parts of our territory.

On the 3d of March last, an act was passed providing for the appointment of three commissioners to settle private land claims in California. Three persons were immediately appointed, all of whom, however, declined accepting the office, in consequence of the inadequacy of the compensation. Others were promptly selected, who, for the same reason also declined; and it was not until late in the season that the services of suitable persons could be secured. A majority of the commissioners convened in this city on the 10th September last, when detailed instructions were given to them in regard to their duties. Their first meeting for the transaction of business will be held in San Francisco on the eighth day of the present month.

I have thought proper to refer to these facts, not only to explain the causes of the delay in filling the commission, but to call your attention to the propriety of increasing the compensation of the commissioners. The office is one of great labor and responsibility, and the compensation should be such as to command men of a high order of talents and the most unquestionable integrity.

The proper disposal of the mineral lands of California is a subject surrounded by great difficulties. In my last annual message, I recommended the survey and sale of them in small parcels, under such restrictions as would effectually guard against monopoly and speculation. But upon further information, and in deference to the opinions of persons familiar with the subject, I am inclined to change that recommendation, and to advise that they be permitted to remain, as at present, a common field, open to the enterprise and industry of all our citizens, until further experience shall have developed the best policy to be ultimately adopted in regard to them. It is safer to suffer the inconvenience that now exists, for a short period, than, by premature legislation, to fasten on the country a system founded in error, which may place the whole subject beyond the future control of Congress.

The agricultural lands should, however, be surveyed, and brought into market with as little delay as possible, that the titles may become settled, and the inhabitants stimulated to make permanent improvements, and enter on the ordinary pursuits of life. To effect these objects, it is desirable that the necessary provision be made by law for the establishment of land offices in California and Oregon, and for the efficient prosecution of the surveys at an early day.

Some difficulties have occurred in organizing the territorial governments of New Mexico and Utah; and, when more accurate information shall be obtained of the causes, a further communication will be made on that subject.

In my last annual communication to Congress, I recommended the establishment of an agricultural bureau, and I take this occasion again to invoke your favorable consideration of the subject.

Agriculture may justly be regarded as the great interest of our people. Four fifths of our active population are employed in the cultivation of the soil, and the rapid expansion of our settlements over new territory is daily adding to the number of those engaged in that vocation. Justice and sound policy, therefore, alike require that the government should use all the means authorized by the constitution to promote the interests and welfare of that important class of our fellow-citizens. And yet it is a singular fact that, while the manufacturing and commercial interests have engaged the attention of Congress during a large portion of every session, and our statutes abound in provisions for their protection and encouragement, little has yet been done directly for the advancement of agriculture. It is time that this reproach to our legislation should be removed; and I sincerely hope that the present Congress will not close their labors without adopting efficient means to supply the omissions of those who have preceded them.

An agricultural bureau, charged with the duty of collecting and disseminating correct information as to the best modes of cultivation, and of the most effectual means of preserving and restoring the fertility of the soil, and of procuring and distributing seeds and plants, and other vegetable productions, with instructions in regard to the soil, climate, and treatment best adapted to their growth, could not fail to be, in the language of WASHINGTON, in his last annual message to Congress, a "a very cheap instrument of immense national benefit."

Regarding the act of Congress, approved September 28, 1850, granting bounty lands to persons who had been engaged in the military service of the country, as a great measure of national justice and munificence, an

anxious desire has been felt, by the officers intrusted with its immediate execution, to give prompt effect to its provisions. All the means within their control were, therefore, brought into requisition to expedite the adjudication of claims; and I am gratified to be able to state, that near one hundred thousand applications have been considered, and about seventy thousand warrants issued, within the short space of nine months. If adequate provision be made by law to carry into effect the recommendations of the department, it is confidently expected that, before the close of the next fiscal year, all who are entitled to the benefits of the act will have received their warrants.

The secretary of the interior has suggested in his report various amendments of the laws relating to pensions and bounty lands, for the purpose of more effectually guarding against abuses and frauds on the government: to all of which I invite your particular attention.

The large accessions to our Indian population consequent upon the acquisition of New Mexico and California, and the extension of our settlements into Utah and Oregon, have given increased interest and importance to our relations with the aboriginal race.

No material change has taken place within the last year in the condition and prospects of the Indian tribes who reside in the Northwestern territory and west of the Mississippi river. We are at peace with all of them; and it will be a source of pleasure to you to learn that they are gradually advancing in civilization and the pursuits of social life.

Along the Mexican frontier, and in California and Oregon, there have been occasional manifestations of unfriendly feeling, and some depredations committed. I am satisfied, however, that they resulted more from the destitute and starving condition of the Indians than from any settled hostility toward the whites. As the settlements of our citizens progress toward them, the game upon which they mainly rely for subsistence is driven off or destroyed, and the only alternative left to them is starvation or plunder. It becomes us to consider, in view of this condition of things, whether justice and humanity, as well as an enlightened economy, do not require that, instead of seeking to punish them for offences which are the result of our own policy toward them, we should not provide for their immediate wants, and encourage them to engage in agriculture, and to rely on their labor, instead of the chase, for the means of support.

Various important treaties have been negotiated with different tribes during the year, by which their title to large and valuable tracts of country has been extinguished: all of which will, at the proper time, be submitted to the senate for ratification.

The joint commission under the treaty of Guadalupe Hidalgo has been actively engaged in running and marking the boundary line between the United States and Mexico. It was stated in the last annual report of the secretary of the interior that the initial point on the Pacific and the point of junction of the Gila with the Colorado river had been determined, and the intervening line, about one hundred and fifty miles in length, run and marked by temporary monuments. Since that time a monument of marble has been erected at the initial point, and permanent landmarks of iron have been placed at suitable distances along the line.

The initial point on the Rio Grande has also been fixed by the commissioners at latitude $32^{\circ} 22'$, and, at the date of the last communication, the survey of the line had been made thence westward about one hundred and fifty miles, to the neighborhood of the copper mines.

The commission on our part was at first organized on a scale which experience proved to be unwieldy and attended with unnecessary expense. Orders have, therefore, been issued for the reduction of the number of persons employed within the smallest limits consistent with the safety of those engaged in the service and the prompt and efficient execution of their important duties.

Returns have been received from all the officers engaged in taking the census in the states and territories, except California. The superintendent employed to make the enumeration in that state, has not yet made his full report, from causes, as he alleges, beyond his control. This failure is much to be regretted, as it has prevented the secretary of the interior from making the decennial apportionment of representatives among the states, as required by the act approved May 23, 1850. It is hoped, however, that the returns will soon be received, and no time will then be lost in making the necessary apportionment, and in transmitting the certificates required by law.

The superintendent of the seventh census is diligently employed, under the direction of the secretary of the interior, in classifying and arranging, in tabular form, all the statistical information derived from the returns of the marshals, and it is believed that when the work shall be completed, it will exhibit a more perfect view of the population, wealth, occupations, and social condition of a great country, than has ever been presented to the world. The value of such a work, as the basis of enlightened legislation, can hardly be over-estimated; and I earnestly hope that Congress will lose no time in making the appropriations necessary to complete the classifications, and to publish the results in a style worthy of the subject, and of our national character.

The want of a uniform fee-bill, prescribing the compensation to be allowed district attorneys, clerks, marshals, and commissioners, in civil and criminal cases, is the cause of much vexation, injustice, and complaint. I would recommend a thorough revision of the laws on the whole subject, and the adoption of a tariff of fees which, as far as practicable, should be uniform, and prescribe a specific compensation for every service which the officer may be required to perform. This subject will be fully presented in the report of the secretary of the interior.

In my last annual message I gave briefly my reasons for believing that you possessed the constitutional power to improve the harbors of our great lakes and seacoast, and the navigation of our principal rivers, and recommended that appropriations should be made for completing such works as had already been commenced, and for commencing such others as might seem to the wisdom of Congress to be of public and general importance. Without repeating the reasons then urged, I deem it my duty again to call your attention to this important subject. The works on many of our harbors were left in an unfinished state, and, consequently, exposed to the action of the elements, which is fast destroying them. Great numbers of lives and vast amounts of property are annually lost for want of safe and convenient harbors on the lakes. None but those who have been exposed to that dangerous navigation can fully appreciate the importance of this subject. The whole northwest appeals to you for relief, and I trust their appeal will receive due consideration at your hands.

The same is in a measure true in regard to some of the harbors and inlets on the seacoast.

The unobstructed navigation of our large rivers is of equal importance.

Our settlements are now extending to the sources of the great rivers which empty into and form a part of the Mississippi, and the value of the public lands in those regions would be greatly enhanced by freeing the navigation of those waters from obstructions. In view, therefore, of this great interest, I deem it my duty again to urge upon Congress to make such appropriations for these improvements as they may deem necessary.

The surveys of the delta of the Mississippi, with a view to the prevention of the overflows that have proved so disastrous to that region of country, have been nearly completed, and the reports thereof are now in course of preparation, and will shortly be laid before you.

The protection of our southwestern frontier, and of the adjacent Mexican states, against the Indian tribes within our border, has claimed my earnest and constant attention. Congress having failed, at the last session, to adopt my recommendation that an additional regiment of mounted men specially adapted to that service should be raised, all that remained to be done was to make the best use of the means at my disposal. Accordingly, all the troops adapted to that service that could properly be spared from other quarters have been concentrated on that frontier, and officers of high reputation selected to command them. A new arrangement of the military posts has also been made, whereby the troops are brought nearer to the Mexican frontier and to the tribes they are intended to overawe.

Sufficient time has not yet elapsed to realize all the benefits that are expected to result from these arrangements, but I have every reason to hope that they will effectually check their marauding expeditions. The nature of the country, which furnishes little for the support of an army, and abounds in places of refuge and concealment, is remarkably well adapted to this predatory warfare; and we can scarcely hope that any military force, combined with the greatest vigilance, can entirely suppress it.

By the treaty of Guadalupe Hidalgo we are bound to protect the territory of Mexico against the incursions of the savage tribes within our border, "with equal diligence and energy," as if the same were made within our territory or against our citizens. I have endeavored to comply, as far as possible, with this provision of the treaty. Orders have been given to the officers commanding on that frontier to consider the Mexican territory and its inhabitants as equally with our own entitled to their protection; and to make all their plans and arrangements with a view to the attainment of this object. Instructions have also been given to the Indian commissioners and agents among these tribes, in all treaties, to make the clauses designed for the protection of our own citizens apply also to those of Mexico. I have no reason to doubt that these instructions have been fully carried into effect. Nevertheless, it is probable that in spite of all our efforts, some of the neighboring states of Mexico may have suffered, as our own have, from depredations by the Indians.

To the difficulties of defending our own territory, as above mentioned, are superadded, in defending that of Mexico, those that arise from its remoteness, from the fact that we have no right to station our troops within her limits, and that there is no efficient military force on the Mexican side to co-operate with our own. So long as this shall continue to be the case, the number and activity of our troops will rather increase than diminish the evil, as the Indians will naturally turn toward that country where they encounter the least resistance. Yet these troops are neces-

sary to subdue them, and to compel them to make and observe treaties. Until this shall have been done, neither country will enjoy any security from their attacks.

The Indians in California, who had previously appeared of a peaceable character, and disposed to cultivate the friendship of the whites, have recently committed several acts of hostility. As a large portion of the reinforcements sent to the Mexican frontier were drawn from the Pacific, the military force now stationed there is considered entirely inadequate to its defence. It can not be increased, however, without an increase of the army; and I again recommend that measure as indispensable to the protection of the frontier.

I invite your attention to the suggestions on this subject, and on others connected with his department, in the report of the secretary of war.

The appropriations for the support of the army, during the current fiscal year ending 30th June next, were reduced far below the estimate submitted by the department. The consequence of this reduction is a considerable deficiency, to which I invite your early attention.

The expenditures of that department, for the year ending 30th June last, were \$9,060,268.58. The estimates for the year commencing 1st July next, and ending June 30, 1853, are \$7,898,775.83; show a reduction of \$1,161,492.75.

The board of commissioners, to whom the management of the affairs of the military asylum, created by the act of 3d March last, was intrusted, having selected a site for the establishment of an asylum in the vicinity of this city, which has been approved by me, subject to the production of a satisfactory title.

The report of the secretary of the navy will exhibit the condition of the public service under the supervision of that department. Our naval force afloat during the present year, has been actively and usefully employed in giving protection to our widely-extended and increasing commerce and interests in the various quarters of the globe, and our flag has everywhere afforded the security and received the respect inspired by the justice and liberality of our intercourse, and the dignity and power of the nation.

The expedition commanded by Lieut. De Haven, despatched in search of the British commander, Sir John Franklin, and his companions in the Arctic seas, returned to New York in the month of October, after having undergone great peril and suffering from an unknown and dangerous navigation and the rigors of a northern climate, without any satisfactory information of the objects of their search, but with new contributions to science and navigation from the unfrequented polar regions. The officers and men of the expedition having been all volunteers for this service, and having so conducted it as to meet the entire approbation of the government, it is suggested, as an act of grace and generosity, that the same allowances of extra pay and emoluments be extended to them that were made to the officers and men of like rating in the late exploring expedition to the South seas.

I earnestly recommend to your attention the necessity of reorganizing the naval establishment, apportioning and fixing the number of officers in each grade, providing some mode of promotion to the higher grades of the navy, having reference to merit and capacity, rather than seniority or date of entry into the service, and for retiring from the effective list upon reduced pay those who may be incompetent to the performance of active

duty. As a measure of economy, as well as of efficiency in this arm of the service, the provision last mentioned is eminently worthy of your consideration.

The determination of the questions of relative rank between the sea officers and civil officers of the navy, and between officers of the army and navy, in the various grades of each, will also merit your attention. The failure to provide any substitute, when corporal punishment was abolished for offences in the navy, has occasioned the convening of numerous courts-martial upon the arrival of vessels in port, and it is believed to have had an injurious effect upon the discipline and efficiency of the service. To moderate punishment from one grade to another is among the humane reforms of the age; but to abolish one of severity, which applied so generally to offences on ship-board, and provide nothing in its stead, is to suppose a progress of improvement in every individual among seamen which is not assumed by the legislature in respect to any other class of men. It is hoped that Congress, in the ample opportunity afforded by the present session, will thoroughly investigate this important subject, and establish such modes of determining guilt, and such gradations of punishment, as are consistent with humanity and the personal rights of individuals, and at the same time shall insure the most energetic and efficient performance of duty and the suppression of crime in our ships-of-war.

The stone dock in the navy-yard at New York, which was ten years in process of construction, has been so far finished as to be surrendered up to the authorities of the yard. The dry dock at Philadelphia is reported as completed, and is expected soon to be tested and delivered over to the agents of the government. That at Portsmouth, New Hampshire, is also nearly ready for delivery: and a contract has been concluded, agreeably to the act of Congress at its last session, for a floating sectional dock on the bay of San Francisco. I invite your attention to the recommendation of the department touching the establishment of a navy-yard in conjunction with this dock on the Pacific. Such a station is highly necessary to the convenience and effectiveness of our fleet in that ocean, which must be expected to increase with the growth of commerce and the rapid extension of our whale fisheries over its waters.

The naval academy at Annapolis, under a revised and improved system of regulations, now affords opportunities of education and instruction to the pupils quite equal, it is believed, for professional improvement, to those enjoyed by the cadets in the military academy. A large class of acting midshipmen was received at the commencement of the last academic term, and a practice-ship has been attached to the institution, to afford the amplest means for regular instruction in seamanship, as well as for cruises during the vacations of three or four months in each year.

The advantages of science in nautical affairs have rarely been more strikingly illustrated, than in the fact stated in the report of the navy department, that, by means of the wind and current charts, projected and prepared by Lieutenant Maury, the superintendent of the naval observatory, the passage from the Atlantic to the Pacific ports of our country has been shortened by about forty days.

The estimates for the support of the navy and marine corps, the ensuing fiscal year, will be found to be \$5,856,472.19, the estimates for the current year being \$5,900,621.

The estimates for special objects under the control of this department, amount to \$2,684,220.89, against \$2,210,980 for the present year, the in-

crease being occasioned by the additional mail service on the Pacific coast, and the construction of the dock in California, authorized at the last session of Congress, and some slight additions under the head of improvements and repairs in navy-yards, buildings, and machinery.

I deem it of much importance to a just economy, and a correct understanding of naval expenditures, that there should be an entire separation of the appropriations for the support of the naval service proper from those for permanent improvements at navy-yards and stations, and from ocean steam-mail service, and other special objects assigned to the supervision of this department.

The report of the postmaster-general, herewith communicated, presents an interesting view of the progress, operations, and condition of his department.

At the close of the last fiscal year, the length of mail-routes within the United States was 196,290 miles; the annual transportation thereon 53,272,252 miles; and the annual cost of such transportation \$3,421,754.

The length of the foreign mail-routes is estimated at 18,349 miles, and the annual transportation thereon at 615,206 miles. The annual cost of this service is \$1,472,187, of which \$448,937 is paid by the postoffice department, and \$1,023,250 are paid through the navy department.

The annual transportation *within* the United States (excluding the service in California and Oregon, which is now, for the first time, reported and embraced in the tabular statements of the department) exceeds that of the preceding year 6,162,855 miles, at an increased cost of \$547,110.

The whole number of postoffices in the United States on the 30th day of June last was 19,796. There were 1,698 postoffices established, and 256 discontinued, during the year.

The gross revenues of the department for the fiscal year, including the appropriations for the franked matter of Congress, of the departments, and officers of government, and excluding the foreign postages, collected for, and payable to the British postoffice, amounted to \$6,727,866.78.

The expenditures for the same period (excluding \$20,599.49, paid under an award of the auditor, in pursuance of a resolution of the last Congress, for mail service on the Ohio and Mississippi rivers in 1832 and 1833, and the amount paid to the British postoffice for foreign postages collected for and payable to that office) amounted to \$6,024,566.79; leaving a balance of revenue over the proper expenditures of the year of \$703,299.99.

The receipts of postages during the year (excluding the foreign postages collected for and payable to the British postoffice) amounted to \$6,345,747.21, being an increase of \$997,610.79, or $18\frac{65}{100}$ per cent. over the like receipts for the preceding year.

The reduction of postage under the act of March last, did not take effect until the commencement of the present fiscal year. The accounts for the first quarter, under the operation of the reduced rates, will not be settled before January next; and no reliable estimates of the receipts for the present year can yet be made. It is believed, however, that they will fall far short of those of the last year. The surplus of the revenues now on hand is, however, so large, that no further appropriation from the treasury, in aid of the revenues of the department, is required for the current fiscal year; but an additional appropriation for the year ending June 30, 1853, will probably be found necessary when the receipts of the first two quarters of the fiscal year are fully ascertained.

In his last annual report, the postmaster-general recommended a reduction of postage to rates which he deemed as low as could be prudently adopted, unless Congress was prepared to appropriate from the treasury, for the support of the department, a sum more than equivalent to the mail services performed by it for the government. The recommendations of the postmaster-general, in respect to the letter postage, except on letters from and to California and Oregon, were substantially adopted by the last Congress. He now recommends adherence to the present letter-rates, and advises against a further reduction until justified by the revenue of the department.

He also recommends that the rates of postage on printed matter be so revised as to render them more simple and more uniform in their operation upon all classes of printed matter. I submit the recommendations of the report to your favorable consideration.

The public statutes of the United States have now been accumulating for more than sixty years, and, interspersed with private acts, are scattered through numerous volumes; and, from the cost of the whole, have become almost inaccessible to the great mass of the community. They also exhibit much of the incongruity and imperfection of hasty legislation. As it seems to be generally conceded that there is no "common law" of the United States to supply the defects of their legislation, it is most important that that legislation should be as perfect as possible, defining every power intended to be conferred, every crime intended to be made punishable, and prescribing the punishment to be inflicted. In addition to some particular cases spoken of more at length, the whole criminal code is now lamentably defective. Some offences are imperfectly described, and others are entirely omitted, so that flagrant crimes may be committed with impunity. The scale of punishment is not in all cases graduated according to the degree and nature of the offence, and is often rendered more unequal by the different modes of imprisonment, or penitentiary confinement, in the different states.

Many laws of a permanent character have been introduced into appropriation bills, and it is often difficult to determine whether the particular clause expires with the temporary act of which it is a part, or continues in force. It has also frequently happened that enactments and provisions of law have been introduced into bills with the title or general subject of which they have little or no connection or relation. In this mode of legislation so many enactments have been heaped upon each other, and often with but little consideration, that, in many instances, it is difficult to search out and determine what is the law.

The government of the United States is emphatically a government of written laws. The statutes should, therefore, as far as practicable, not only be made accessible to all, but be expressed in language so plain and simple as to be understood by all, and arranged in such method as to give perspicuity to every subject. Many of the states have revised their public acts with great and manifest benefit; and I recommend that provision be made by law for the appointment of a commission to revise the public statutes of the United States, arranging them in order, supplying deficiencies, correcting incongruities, simplifying their language, and reporting them to Congress for its action.

An act of Congress approved 30th September, 1850, contained a provision for the extension of the capitol, according to such plan as might be approved by the president, and appropriated one hundred thousand dollars

to be expended under his direction, by such architect as he should appoint to execute the same. On examining the various plans which had been submitted by different architects, in pursuance of an advertisement by a committee of the senate, no one was found to be entirely satisfactory, and it was therefore deemed advisable to combine and adopt the advantages of several.

The great object to be accomplished was to make such an addition as would afford ample and convenient halls for the deliberations of the two houses of Congress, with sufficient accommodations for spectators, and suitable apartments for the committees and officers of the two branches of the legislature. It was also desirable not to mar the harmony and beauty of the present structure, which, as a specimen of architecture, is so universally admired. Keeping these objects in view, I concluded to make the addition by wings, detached from the present building, yet connected with it by corridors. This mode of enlargement will leave the present capitol uninjured, and afford great advantages for ventilation and the admission of light, and will enable the work to progress without interrupting the deliberations of Congress. To carry this plan into effect I have appointed an experienced and competent architect. The corner-stone was laid on the 4th day of July last with suitable ceremonies, since which time the work has advanced with commendable rapidity, and the foundations of both wings are now nearly complete.

I again commend to your favorable regard the interests of the district of Columbia, and deem it only necessary to remind you, that although its inhabitants have no voice in the choice of representatives in Congress, they are not the less entitled to a just and liberal consideration in your legislation. My opinions on this subject were more fully exposed in my last annual communication.

Other subjects were brought to the attention of Congress in my last annual message, to which I would respectfully refer. But there was one of more than ordinary interest, to which I again invite your special attention. I allude to the recommendation for the appointment of a commission to settle private claims against the United States. Justice to individuals, as well as to the government, imperatively demands that some more convenient and expeditious mode than an appeal to Congress should be adopted.

It is deeply to be regretted that in several instances officers of the government, in attempting to execute the law for the return of fugitives from labor, have been openly resisted, and their efforts frustrated and defeated by lawless and violent mobs; that in one case such resistance resulted in the death of an estimable citizen, and in others, serious injury ensued to those officers and to individuals who were using their endeavors to sustain the laws. Prosecutions have been instituted against the alleged offenders, so far as they could be identified, and are still pending. I have regarded it as my duty, in these cases, to give all aid legally in my power to the enforcement of the laws, and I shall continue to do so wherever and whenever their execution may be resisted.

The act of Congress for the return of fugitives from labor is one required and demanded by the express words of the constitution.

The constitution declares, "That no person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such

service or labor may be due." This constitutional provision is equally obligatory upon the legislative, the executive, and judicial departments of the government, and upon every citizen of the United States.

Congress, however, must, from necessity, first act upon the subject, by prescribing the proceedings necessary to ascertain that the person is a fugitive, and the means to be used for his restoration to the claimant. This was done by an act passed during the first term of President Washington, which was amended by that enacted by the last Congress, and it now remains for the executive and judicial departments to take care that these laws be faithfully executed. This injunction of the constitution is as peremptory and as binding as any other; it stands exactly on the same foundation as that clause which provides for the return of fugitives from justice, or that which declares that no bill of attainder, or *ex post facto* law, shall be passed, or that which provides for an equality of taxation according to the census, or the clause declaring that all duties shall be uniform throughout the United States, or the important provision, that the trial of all crimes shall be by jury. These several articles and clauses of the constitution, all resting on the same authority, must stand or fall together. Some objections have been urged against the details of the act for the return of fugitives from labor; but it is worthy of remark, that the main opposition is aimed against the constitution itself, and proceeds from persons, and classes of persons, many of whom declare their wish to see that constitution overturned. They avow their hostility to any law which shall give full and practical effect to this requirement of the constitution. Fortunately, the number of these persons is comparatively small, and is believed to be daily diminishing, but the issue which they present is one which involves the supremacy, and even the existence of the constitution.

Cases have heretofore arisen in which individuals have denied the binding authority of acts of Congress, and even states have proposed to nullify such acts upon the ground that the constitution was the supreme law of the land, and that those acts of Congress were repugnant to that instrument; but nullification is now aimed, not so much against particular laws as being inconsistent with the constitution, as against the constitution itself; and it is not to be disguised that a spirit exists, and has been actively at work to rend asunder this Union, which is our cherished inheritance from our revolutionary fathers.

In my last annual message I stated that I considered the series of measures, which had been adopted at the previous session, in reference to the agitation growing out of the territorial and slavery questions, as a final settlement in principle and substance of the dangerous and exciting subjects which they embraced; and I recommend adherence to the adjustment established by those measures, until time and experience should demonstrate the necessity of further legislation to guard against evasion or abuse. I was not induced to make this recommendation because I thought those measures perfect, for no human legislation can be perfect. Wide differences and jarring opinions can only be reconciled by yielding something on all sides, and this result had been reached after an angry conflict of many months, in which one part of the country was arrayed against another, and violent convulsion seemed to be imminent. Looking at the interests of the whole country, I felt it to be my duty to seize upon this compromise as the best that could be obtained amid conflicting interests, and to insist upon it as a final settlement, to be adhered to by all

who value the peace and welfare of the country. A year has now elapsed since that recommendation was made. To that recommendation I still adhere, and I congratulate you and the country upon the general acquiescence in these measures of peace which has been exhibited in all parts of the republic. And not only is there this general acquiescence in these measures, but the spirit of conciliation which has been manifested in regard to them in all parts of the country has removed doubts and uncertainties in the minds of thousands of good men concerning the durability of our popular institutions, and given renewed assurance that our Liberty and our Union may subsist together for the benefit of this and all succeeding generations.

SPECIAL MESSAGE.

DECEMBER 15, 1851.

To the Senate of the United States :

I HAVE received a resolution of the senate adopted on the 12th instant, in the following terms :

"Resolved, That the president of the United States be requested to communicate to the senate, if not inconsistent with the public interest, any information the executive may have received respecting the firing into and seizure of the American steamship Prometheus by a British vessel-of-war, in November last, near Grey Town, on the Mosquito coast ; and also what measures have been taken by the executive to ascertain the state of the fact, and to vindicate the honor of the country."

In answer to this request I submit to the senate the accompanying extracts from a communication addressed to the department of state by Mr. Joseph L. White, as counsel of the American, Atlantic, and Pacific Ship Canal Company, dated 2d instant.

This communication is the principal source of the information received by the executive in relation to the subject alluded to, and is presumed to be essentially correct in its statement of the facts. Upon receiving this communication, instructions such as the occasion seemed to demand, were immediately despatched to the minister of the United States in London. Sufficient time has not elapsed for the return of any answer to this despatch from him, and in my judgment it would at the present moment be inconsistent with the public interest to communicate those instructions. A communication, however, of all the correspondence will be made to the senate at the earliest moment at which a proper regard to the public interest will permit.

At the same time, instructions were given to Commodore Parker, commanding the home squadron, a copy of which, so far as they relate to the case of the Prometheus, is herewith transmitted to the senate.

SPECIAL MESSAGE.

JANUARY 5, 1852.

To the Senate of the United States :

I TRANSMIT to the senate a report of the secretary of state relative to the persons belonging to the expedition of Lopez, who were taken prisoners in Cuba and afterward sent to Spain, and who have now been pardoned and released by her catholic majesty. The appropriation, the expediency of which is suggested in the report, I cordially recommend to the consideration of Congress, with the single additional suggestion, that to be available, it should be promptly made.

SPECIAL MESSAGE.

FEBRUARY 14, 1852.

To the Senate of the United States :

I COMMUNICATE to the senate, herewith, a report to me, dated the 13th instant, from the secretary of the interior, respecting the delay and difficulty in making the apportionment among the several states, of the representatives in the 33d Congress, as required by the act of 23d of May, 1850, in consequence of the want of full returns of the population of the state of California, and suggesting the necessity for remedial legislation.

The subject is one of much importance, and I earnestly commend it to the early consideration of Congress.

SPECIAL MESSAGE.

MARCH 4, 1852.

To the Senate and House of Representatives of the United States :

I TRANSMIT to Congress a despatch addressed to the secretary of state by the minister of the United States at Mexico, and the papers therein referred to, relative to the cemetery which has been constructed in the neighborhood of that city, as a place of sepulture for the remains of the officers and soldiers of the United States who died or were killed in that vicinity during the late war, and for such citizens of the United States as may hereafter die there. A copy of the report of the agent who was sent for the purpose of superintending the work, is also herewith transmitted. It will be seen that a sum of twenty-five hundred or three thousand dollars, in addition to the amount appropriated by the act of Congress, approved 28th September, 1850, is represented to be necessary to carry the objects of that appropriation into full effect. I accordingly recommend that provision therefor be made.

SPECIAL MESSAGE.

MARCH 25, 1852.

To the House of Representatives :

As a further answer to the resolution of the house of representatives of the 5th of January last, requesting information in regard to a circular of her Britannic majesty's secretary of state for colonial affairs, in respect to the encouragement of the emigration of colored laborers from the United States to the British West India islands, I transmit another despatch addressed to the department of state by the minister of the United States at London.

SPECIAL MESSAGE.

MARCH 26, 1852.

To the Senate and House of Representatives of the United States :

At the close of the commission to adjudicate upon the claims of citizens of the United States under the treaty of Guadalupe Hidalgo, I directed a list to be made of papers which had been presented to that commission and pursuant to the act of Congress, approved 3d March, 1849, the papers themselves to be carefully arranged and deposited for safekeeping in the department of state. I deemed all this necessary as well for the interest of the claimants, as to secure the government against fraudulent claims which might be preferred hereafter. A few days since I was surprised to learn that some of these papers had been fraudulently abstracted by one of the claimants ; and upon the case being made known to me by the secretary of state, I referred it to the attorney-general, for the purpose of ascertaining what punishment could be inflicted upon the person who had been guilty of this offence.

I now communicate to you his opinion, and that of the attorney of the United States for this district, by which you will perceive that it is doubtful whether there be any law for punishing the very grave offence of fraudulently abstracting or mutilating the papers and public documents in the several departments of this government. It appears to me that the protection of the public records and papers requires that such acts should be made penal, and a suitable punishment inflicted upon the offender, and I therefore bring the subject to your consideration, to enable you to act upon it should you concur with me in this opinion.

SPECIAL MESSAGE.

APRIL 6, 1852.

To the House of Representatives :

IN compliance with the resolution of the house of the 31st ultimo, I have the honor herewith to transmit a report from the secretary of war, accompanied by the original manuscript report of Captain Thomas J. Crane, dated February 3, 1844, on the best mode of improving the navigation of the Ohio river at the falls of Louisville, together with the original map accompanying the same.

SPECIAL MESSAGE.

APRIL 19, 1852.

To the Senate and House of Representatives of the United States :

I INVITE the attention of Congress to the state of affairs in the territory of Oregon, growing out of a conflict of opinion among the authorities of that territory, in regard to a proper construction of the acts of Congress, approved the 14th August, 1848, and 11th June, 1850, the former entitled "An act to establish a territorial government of Oregon," and the latter entitled "An act to make further appropriations for public buildings in the territories of Minnesota and Oregon." In order to enable Congress to understand the controversy, and apply such remedy with a view to adjust it, as may be deemed expedient, I transmit—

1. An act of the legislative assembly of that territory, passed February 1, 1851, entitled "An act to provide for the selection of places for the location and erection of public buildings of the territory of Oregon ;"

2. Governor Gaines's message to the legislative assembly of the 3d February, 1851 ;

3. The opinion of the attorney-general of the United States, of 23d April, in regard to the act of the legislative assembly of the 1st February, 1851 ;

4. The opinion of the supreme court of Oregon, pronounced on the 9th December, 1851 ;

5. A letter of Judge Pratt, of the 15th December, 1851, dissenting from that opinion ;

6. Governor Gaines's letter to the president of the 1st January, 1852 ;

7. Report of the attorney-general of the United States on that letter, dated 22d March, 1852.

If it should be the sense of Congress that the seat of government of Oregon has not already been established by the local authorities pursuant to the law of the United States, for the organization of that territory, or if so established, should be deemed objectionable, in order to appease the strife upon the subject which seems to have arisen in that territory, I recommend that the seat of government be either permanently or temporarily ordained by act of Congress ; and that that body should, in the

same manner, express its approval or disapproval of such laws as may have been enacted in the territory at the place alleged to be its seat of government, and which may be so enacted, until intelligence of the decision of Congress shall reach there.

SPECIAL MESSAGE.

MAY 29, 1852.

To the Senate of the United States :

"THE resolution of the senate of the 6th instant, requesting the "papers and proofs on file in any of the executive departments, touching the claim of Samuel A. Belden and Company, of Brownsville, Texas, against the Mexican government for injuries inflicted upon said Belden and Company, as alleged by him, in violation of the treaty of Guadalupe Hidalgo," was referred to the heads of those departments, and the documents herewith transmitted have been reported to me from the department of state, as comprising all on the files of that department called for by the resolution, with the exception of those of a diplomatic character. As the claim referred to is a subject of negotiation with the Mexican government, it is not deemed expedient at this juncture to make public the documents which have been reserved. According to the reports of the secretary of the treasury, of the secretary of the interior, of the secretary of war, of the secretary of the navy, and of the postmaster-general, there are no papers in their respective departments relative to the claim of Messrs. Belden and Company.

SPECIAL MESSAGE.

JUNE 14, 1852.

To the Senate and House of Representatives :

I TRANSMIT herewith for your consideration a report from the secretary of state, accompanied by a communication from his excellency Señor Don A. Calderon de la Barca, envoy extraordinary and minister plenipotentiary of her catholic majesty, claiming indemnity for those Spanish subjects in New Orleans who sustained injury from the unlawful violence of the mob in that city, consequent upon hearing the news of the execution of those persons who unlawfully invaded Cuba in August, 1851. My own views of the national liability upon this subject were expressed in the note of the secretary of state to Mr. Calderon, of the 13th November, 1851, and I do not understand that her catholic majesty's minister controverts the correctness of the position there taken. He, however, insists that the 13th article of the treaty of 1795 promises indemnity for such injuries sustained within one year after the commencement of war between the two nations ; and, although he admits this is not within the letter of the treaty, yet he conceives that, as between two friendly nations, it is within the spirit of it.

This view of the case is at his request submitted for your consideration, but whether you may deem it correct or not, there is, perhaps, one ground upon which this indemnity, which can not be large in amount, may be granted without establishing a dangerous precedent, and the granting of which would commend itself to the generous feelings of the entire country, and that is this: The queen of Spain, with a magnanimity worthy of all commendation, in a case where we had no legal right to solicit the favor, granted a free pardon to all the persons who had so unjustifiably invaded her dominions and murdered her subjects in Cuba, in violation of her own laws as well as those of the United States and the public law of nations. Such an act of mercy which restored many misguided and unfortunate youth of this country to their parents and friends seems to me to merit some corresponding act of magnanimity and generosity on the part of the government of this country, and I think that there can be none more appropriate than to grant an indemnity to those Spanish subjects who were resident among us and who suffered by the violence of the mob, not on account of any fault which they themselves had committed, but because they were the subjects of the queen of Spain. Such an act would tend to confirm that friendship which has so long existed between the two nations and to perpetuate it as a blessing to both, and I therefore recommend it to your favorable consideration.

SPECIAL MESSAGE.

JULY 2, 1852.

To the Senate and House of Representatives :

By an act of Congress approved on the 10th day of February, 1852, an appropriation of six thousand dollars was made for the relief of *American citizens* then lately imprisoned and pardoned by the queen of Spain, intended to provide for the return of such of the Cuban prisoners as were citizens of the United States who had been transported to Spain and there pardoned by the Spanish government. It will be observed that no provision was made for such foreigners or aliens as were engaged in the Cuban expedition, and who had shared the fate of American citizens for whose relief the said act was intended to provide. I now transmit a report from the first comptroller, with accompanying papers, from which it will be perceived that fifteen foreigners were connected with that expedition who were also pardoned by the queen of Spain, and have been transported to the United States under a contract made with our consul, at an expense of one thousand and thirteen dollars, and thirty-four cents. for the payment of which no provision has been made by law. The consul having evidently acted with good intentions, the claim is submitted for the consideration of Congress.

SPECIAL MESSAGE.

AUGUST 14, 1852.

To the Senate of the United States :

I HAVE received a resolution from your honorable body of the 6th instant, appearing to have been adopted in open legislative session, requesting me "to inform the senate, if not incompatible with the public interests, whether, any propositions have been made by the king of the Sandwich islands to transfer the sovereignty of those islands to the United States, and to communicate to the senate all the official information on that subject in my possession." In reply to which I have to state, that on or about the 12th day of June last I received a similar resolution from the senate adopted in executive or secret session, to which I returned an answer, stating that in my opinion a communication of the information requested at that juncture, would not comport with the public interest. Nothing has since transpired to change my views on that subject, and I therefore feel constrained again to decline giving the information asked.

THIRD ANNUAL MESSAGE.

, DECEMBER 6, 1852.

Fellow-citizens of the Senate and of the House of Representatives :

THE brief space which has elapsed since the close of your last session has been marked by no extraordinary political event. The quadrennial election of chief magistrate has passed off with less than the usual excitement. However individuals and parties may have been disappointed in the result, it is, nevertheless, a subject of national congratulation that the choice has been effected by the independent suffrages of a free people undisturbed by those influences which in other countries have too often effected the purity of popular elections.

Our grateful thanks are due to an All-merciful Providence, not only for staying the pestilence which, in different forms, has desolated some of our cities, but for crowning the labors of the husbandman with an abundant harvest, and the nation generally with the blessings of peace and prosperity.

Within a few weeks, the public mind has been deeply affected by the death of Daniel Webster, filling, at his decease, the office of secretary of state. His associates in the executive government have sincerely sympathized with his family and the public generally on this mournful occasion. His commanding talents, his great political and professional eminence, his well-tryed patriotism, and his long and faithful services, in the most important public trusts, have caused his death to be lamented throughout the country, and have earned for him a lasting place in our history.

In the course of the last summer, considerable anxiety was caused, for a short time, by an official intimation from the government of Great Britain that orders had been given for the protection of the fisheries upon the coasts of the British provinces in North America against the alleged en-

croachments of the fishing-vessels of the United States and France. The shortness of this notice, and the season of the year, seemed to make it a matter of urgent importance. It was at first apprehended that an increased naval force had been ordered to the fishing-grounds to carry into effect the British interpretation of those provisions in the convention of 1818 in reference to the true intent of which the two governments differ. It was soon discovered that such was not the design of Great Britain; and satisfactory explanations of the real objects of the measure have been given, both here and in London.

The unadjusted difference, however, between the two governments, as to the interpretation of the first article of the convention of 1818, is still a matter of importance. American fishing-vessels, within nine or ten years, have been excluded from waters to which they had free access for twenty-five years after the negotiation of the treaty. In 1845 this exclusion was relaxed so far as concerns the bay of Fundy; but the just and liberal intention of the home government, in compliance with what we think the true construction of the convention, to open all the other outer bays to our fishermen, was abandoned, in consequence of the opposition of the colonies. Notwithstanding this, the United States have, since the bay of Fundy was reopened to our fishermen in 1845, pursued the most liberal course toward the colonial fishing interests. By the revenue law of 1846, the duties on colonial fish entering our ports were very greatly reduced, and, by the warehousing act, it is allowed to be entered in bond without payment of duty. In this way, colonial fish has acquired the monopoly of the export trade in our market, and is entering, to some extent, into the home consumption. These facts were among those which increased the sensibility of our fishing interest at the movement in question.

These circumstances, and the incidents above alluded to, have led me to think the moment favorable for a reconsideration of the entire subject of the fisheries on the coasts of the British provinces, with a view to place them upon a more liberal footing of reciprocal privilege. A willingness to meet us in some arrangement of this kind is understood to exist, on the part of Great Britain, with a desire on her part to include in one comprehensive settlement, as well this subject as the commercial intercourse between the United States and the British provinces. I have thought that, whatever arrangements may be made on these two subjects, it is expedient that they should be embraced in separate conventions. The illness and death of the late secretary of state prevented the commencement of the contemplated negotiation. Pains have been taken to collect the information required for the details of such an arrangement. The subject is attended with considerable difficulty. If it is found practicable to come to an agreement mutually acceptable to the two parties, conventions may be concluded in the course of the present winter. The control of Congress over all the provisions of such an arrangement, affecting the revenue, will of course be reserved.

The affairs of Cuba formed a prominent topic in my last annual message. They remain in an uneasy condition, and a feeling of alarm and irritation on the part of the Cuban authorities appears to exist. This feeling has interfered with the regular commercial intercourse between the United States and the island, and led to some acts of which we have a right to complain. But the captain-general of Cuba is clothed with no power to treat with foreign governments, nor is he in any degree under the control of the Spanish minister at Washington. Any communication

which he may hold with an agent of a foreign power is informal and matter of courtesy. Anxious to put an end to the existing inconveniences, (which seemed to rest on a misconception) I directed the newly-appointed minister to Mexico to visit Havana, on his way to Vera Cruz. He was respectfully received by the captain-general, who conferred with him freely on the recent occurrence; but no permanent arrangement was effected.

In the meantime, the refusal of the captain-general to allow passengers and the mail to be landed in certain cases, for a reason which does not furnish, in the opinion of this government, even a good presumptive ground for such a prohibition, has been made the subject of a serious remonstrance at Madrid; and I have no reason to doubt that due respect will be paid by the government of her catholic majesty to the representations which our minister has been instructed to make on the subject.

It is but justice to the captain-general to add, that his conduct toward the steamers employed to carry the mails of the United States to Havana has, with the exceptions above alluded to, been marked with kindness and liberality, and indicates no general purpose of interfering with the commercial correspondence and intercourse between the island and this country.

Early in the present year, official notes were received from the ministers of France and England, inviting the government of the United States to become a party with Great Britain and France to a tripartite convention, in virtue of which the three powers should severally and collectively disclaim, now and for the future, all intention to obtain possession of the island of Cuba, and should bind themselves to discountenance all attempts to that effect on the part of any power or individual whatever. This invitation has been respectfully declined, for reasons which would occupy too much space in this communication to state in detail, but which led me to think that the proposed measure would be of doubtful constitutionality, impolitic, and unavailing. I have, however, in common with several of my predecessors, directed the ministers of France and England to be assured that the United States entertain no designs against Cuba; but that, on the contrary, I should regard its incorporation into the Union at the present time as fraught with serious peril.

Were this island comparatively destitute of inhabitants, or occupied by a kindred race, I should regard it, if voluntarily ceded by Spain, as a most desirable acquisition. But, under existing circumstances, I should look upon its incorporation into our Union as a very hazardous measure. It would bring into the confederacy a population of a different national stock, speaking a different language, and not likely to harmonize with the other members. It would probably affect, in a prejudicial manner, the industrial interests of the south; and it might revive those conflicts of opinion between the different sections of the country which lately shook the Union to its centre, and which have been so happily compromised.

The rejection by the Mexican Congress of the convention which had been concluded between that republic and the United States, for the protection of a transit way across the isthmus of Tehuantepec, and of the interest of those citizens of the United States who had become proprietors of the rights which Mexico had conferred on one of her own citizens in regard to that transit, has thrown a serious obstacle in the way of the attainment of a very desirable national object. I am still willing to hope that the differences on the subject which exist, or may hereafter arise,

between the governments, will be amicably adjusted. This subject, however, has already engaged the attention of the senate of the United States, and requires no further comment in this communication.

The settlement of the question respecting the port of San Juan de Nicaragua, and of the controversy between the republics of Costa Rica and Nicaragua in regard to their boundaries, was considered indispensable to the commencement of the ship-canal between the two oceans, which was the subject of the convention between the United States and Great Britain of the 19th of April, 1850. Accordingly, a proposition for the same purposes, addressed to the two governments in that quarter, and to the Mosquito Indians, was agreed to in April last by the secretary of state and the minister of her Britannic majesty. Besides the wish to aid in reconciling the differences of the two republics, I engaged in the negotiation from a desire to place the great work of a ship-canal between the two oceans under one jurisdiction, and to establish the important port of San Juan de Nicaragua under the government of a civilized power. The proposition in question was assented to by Costa Rica and the Mosquito Indians. It has not proved equally acceptable to Nicaragua; but it is to be hoped that the further negotiations on the subject which are in train will be carried on in that spirit of conciliation and compromise which ought always to prevail on such occasions, and that they will lead to a satisfactory result.

I have the satisfaction to inform you that the executive government of Venezuela has acknowledged some claims of citizens of the United States, which have for many years past been urged by our chargé d'affaires at Caraccas. It is hoped that the same sense of justice will actuate the Congress of that republic in providing the means for their payment.

The recent revolution in Buenos Ayres and the confederated states having opened the prospect of an improved state of things in that quarter, the governments of Great Britain and France determined to negotiate with the chief of the new confederacy for the free access of their commerce to the extensive countries watered by the tributaries of the La Plata; and they gave a friendly notice of this purpose to the United States, that we might, if we thought proper, pursue the same course. In compliance with this invitation, our minister at Rio Janeiro, and our chargé d'affaires at Buenos Ayres, have been fully authorized to conclude treaties with the newly-organized confederation, or the states composing it. The delays which have taken place in the formation of the new government have, as yet, prevented the execution of those instructions; but there is every reason to hope that these vast countries will be eventually opened to our commerce.

A treaty of commerce has been concluded between the United States and the oriental republic of Uruguay, which will be laid before the senate. Should this convention go into operation, it will open to the commercial enterprise of our citizens a country of great extent, and unsurpassed in natural resources, but from which foreign nations have hitherto been almost wholly excluded.

The correspondence of the late secretary of state with the Peruvian chargé d'affaires relative to the Lobos islands was communicated to Congress toward the close of the last session. Since that time, on further investigation of the subject, the doubts which had been entertained of the title of Peru to those islands have been removed; and I have deemed it just that the temporary wrong which had been unintentionally done her,

from want of information, should be repaired by an unreserved acknowledgement of her sovereignty.

I have the satisfaction to inform you that the course pursued by Peru has been creditable to the liberality of her government. Before it was known by her that her title would be acknowledged at Washington, her minister of foreign affairs had authorized our chargé d'affaires at Lima to announce to the American vessels which had gone to the Lobos for guano that the Peruvian government was willing to freight them on its own account. This intention has been carried into effect by the Peruvian minister here, by an arrangement which is believed to be advantageous to the parties in interest.

Our settlements on the shores of the Pacific have already given a great extension, and, in some respects, a new direction, to our commerce in that ocean. A direct and rapidly-increasing intercourse has sprung up with Eastern Asia. The waters of the Northern Pacific, even into the Arctic sea, have of late years been frequented by our whalers. The application of steam to the general purposes of navigation is becoming daily more common, and makes it desirable to obtain fuel, and other necessary supplies, at convenient points on the route between Asia and our Pacific shores. Our unfortunate countrymen, who from time to time suffer shipwreck on the coasts of the eastern seas, are entitled to protection. Besides these specific objects, the general prosperity of our states on the Pacific requires that an attempt should be made to open the opposite regions of Asia to a mutually beneficial intercourse. It is obvious that this attempt could be made by no power to so great advantage as by the United States, whose constitutional system excludes every idea of distant colonial dependencies. I have accordingly been led to order an appropriate naval force to Japan, under the command of a discreet and intelligent officer of the highest rank known to our service. He is instructed to endeavor to obtain from the government of that country some relaxation of the inhospitable and anti-social system which it has pursued for about two centuries. He has been directed particularly to remonstrate in the strongest language against the cruel treatment to which our shipwrecked mariners have often been subjected, and to insist that they shall be treated with humanity. He is instructed, however, at the same time, to give that government the amplest assurances that the objects of the United States are such, and such only, as I have indicated, and that the expedition is friendly and peaceful. Notwithstanding the jealousy with which the governments of Eastern Asia regard all overtures from foreigners, I am not without hopes of a beneficial result of the expedition. Should it be crowned with success, the advantages will not be confined to the United States, but, as in the case of China, will be equally enjoyed by all the other maritime powers. I have much satisfaction in stating that in all the steps preparatory to this expedition the government of the United States has been materially aided by the good offices of the king of the Netherlands, the only European power having any commercial relations with Japan.

In passing from this survey of our foreign relations, I invite the attention of Congress to the condition of that department of the government to which this branch of the public business is intrusted. Our intercourse with foreign powers has of late years greatly increased, both in consequence of our own growth and the introduction of many new states into the family of nations. In this way the department of state has become

overburdened. It has, by the recent establishment of the department of the interior, been relieved of some portion of the domestic business. If the residue of the business of that kind—such as the distribution of congressional documents, the keeping, publishing, and distribution of the laws of the United States, the execution of the copyright law, the subject of reprieves and pardons, and some other subjects relating to interior administration—should be transferred from the department of state, it would unquestionably be for the benefit of the public service. I would also suggest that the building appropriated to the state department is not fire-proof; that there is reason to think there are defects in its construction, and that the archives of the government in charge of the department, with the precious collections of the manuscript papers of Washington, Jefferson, Hamilton, Madison, and Monroe, are exposed to destruction by fire. A similar remark may be made of the buildings appropriated to the war and navy departments.

The condition of the treasury is exhibited in the annual report from that department.

The cash receipts into the treasury for the fiscal year ending the 30th June last, exclusive of trust-funds, were forty-nine millions, seven hundred and twenty-eight thousand, three hundred and eighty-six dollars and eighty-nine cents (\$49,728,386.89), and the expenditures for the same period, likewise exclusive of trust-funds, were forty-six millions, seven thousand eight hundred and ninety-six dollars and twenty cents (\$46,007,896.20), of which nine millions, four hundred and fifty five thousand, eight hundred and fifteen dollars and eighty-three cents (\$9,455,815.83), was on account of the principal and interest of the public debt, including the last instalment of the indemnity to Mexico, under the treaty of Guadalupe Hidalgo; leaving a balance of \$14,632,136.37, in the treasury on the first day of July last. Since this latter period, further purchases of the principal of the public debt have been made to the extent of two millions, four hundred and fifty-six thousand, five hundred and forty-seven dollars and forty-nine cents (\$2,456,547.49), and the surplus in the treasury will continue to be applied to that object whenever the stock can be procured within the limits, as to price, authorized by law.

The value of foreign merchandise imported during the last fiscal year was two hundred and seven millions, two hundred and forty thousand, one hundred and one dollars (\$207,240,101); and the value of domestic productions exported was one hundred and forty-nine millions, eight hundred and sixty-one thousand, nine hundred and eleven dollars (\$149,861,911); besides seventeen millions, two hundred and four thousand, and twenty-six dollars (\$17,204,026) of foreign merchandise exported; making the aggregate of the entire exports one hundred and sixty-seven millions, sixty-five thousand, nine hundred and thirty-seven dollars (\$167,065,937); exclusive of the above, there was exported forty-two millions, five hundred and seven thousand, two hundred and eighty-five dollars (\$42,507,285) in specie, and imported from foreign ports five millions, two hundred and sixty-two thousand, six hundred and forty three dollars (\$5,262,643).

In my first annual message to Congress, I called your attention to what seemed to me some defects in the present tariff, and recommended such modifications as in my judgment were best adapted to remedy its evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question.

Without repeating the arguments contained in my former message, in

favor of discriminating, protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is, the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer, to that extent, is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England. The prosperity and wealth of every nation must depend upon its productive industry. The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited by being able to exchange them, without loss of time or expense of transportation, for the manufactures which his comfort or convenience requires. This is always done to the best advantage where a portion of the community in which he lives is engaged in other pursuits. But most manufactures require an amount of capital and a practical skill which can not be commanded unless they be protected for a time from ruinous competition from abroad. Hence the necessity of laying those duties upon imported goods which the constitution authorizes for revenue in such a manner as to protect and encourage the labor of our own citizens. Duties, however, should not be fixed at a rate so high as to exclude the foreign article, but should be so graduated as to enable the domestic manufacturer fairly to compete with the foreigner in our own markets, and by this competition to reduce the price of the manufactured article to the consumer to the lowest rate at which it can be produced. This policy would place the mechanic by the side of the farmer, create a mutual interchange of their respective commodities, and thus stimulate the industry of the whole country, and render us independent of foreign nations for the supplies required by the habits or necessities of the people.

Another question, wholly independent of protection, presents itself—and that is, whether the duties levied should be upon the value of the article at the place of shipment, or, where it is practicable, a specific duty, graduated according to quantity, as ascertained by weight or measure. All our duties are at present *ad valorem*. A certain percentage is levied on the price of the goods at the port of shipment in a foreign country. Most commercial nations have found it indispensable, for the purpose of preventing fraud and perjury, to make the duties specific whenever the article is of such a uniform value in weight or measure as to justify such a duty. Legislation should never encourage dishonesty or crime. It is impossible that the revenue officers at the port where the goods are entered and the duties paid should know with certainty what they cost in the foreign country. Yet the law requires that they should levy the duty according to such a cost. They are, therefore, compelled to resort to very unsatisfactory evidence to ascertain what that cost was. They take the invoice of the importer, attested by his oath, as the best evidence of which the nature of the case admits. But every one must see that the invoice may be fabricated and the oath by which it is supported false, by reason of which the dishonest importer pays a part only of the duties which are paid by the honest one, and thus indirectly receives from the treasury of

the United States a reward for his fraud and perjury. The reports of the secretary of the treasury heretofore made on this subject show conclusively that these frauds have been practised to a great extent. The tendency is to destroy that high moral character for which our merchants have long been distinguished; to defraud the government of its revenue; to break down the honest importer by a dishonest competition; and, finally, to transfer the business of importation to foreign and irresponsible agents, to the great detriment of our own citizens. I therefore again most earnestly recommend the adoption of specific duties, wherever it is practicable, or a home valuation, to prevent these frauds.

I would also again call your attention to the fact that the present tariff, in some cases, imposes a higher duty upon the raw material imported than upon the article manufactured from it, the consequence of which is that the duty operates to the encouragement of the foreigner and to the discouragement of our own citizens.

For full and detailed information in regard to the general condition of our Indian affairs, I respectfully refer you to the report of the secretary of the interior and the accompanying documents.

The senate not having thought proper to ratify the treaties which had been negotiated with the tribes of Indians in California and Oregon, our relations with them have been left in a very unsatisfactory condition.

In other parts of our territory, particular districts of country have been set apart for the exclusive occupation of the Indians, and their right to the lands within those limits has been acknowledged and respected. But in California and Oregon there has been no recognition by the government of the exclusive right of the Indians to any part of the country. They are, therefore, mere tenants at sufferance, and liable to be driven from place to place at the pleasure of the whites.

The treaties which have been rejected proposed to remedy this evil, by allotting to the different tribes districts of country suitable to their habits of life, and sufficient for their support. This provision, more than any other, it is believed led to their rejection; and as no substitute for it has been adopted by Congress, it has not been deemed advisable to attempt to enter into new treaties of a permanent character, although no effort has been spared by temporary arrangements to preserve friendly relations with them.

If it be the desire of Congress to remove them from the country altogether, or to assign to them particular districts more remote from the settlements of the whites, it will be proper to set apart by law the territory which they are to occupy, and to provide the means necessary for removing them to it. Justice alike to our own citizens and to the Indians requires the prompt action of Congress on this subject.

The amendments proposed by the senate to the treaties which were negotiated with the Sioux Indians of Minnesota have been submitted to the tribes who were parties to them, and have received their assent. A large tract of valuable territory has thus been opened for settlement and cultivation, and all danger of collision with these powerful and warlike bands has been happily removed.

The removal of the remnant of the tribe of Seminole Indians from Florida has long been a cherished object of the government, and it is one to which my attention has been steadily directed. Admonished by past experience of the difficulty and cost of the attempt to remove them by military force, resort has been had to conciliatory measures. By the

invitation of the commissioner of Indian affairs, several of the principal chiefs recently visited Washington, and while here acknowledged in writing the obligation of their tribe to remove with the least possible delay. Late advices from the special agent of the government represent that they adhere to their promise, and that a council of their people has been called, to make their preliminary arrangements. A general emigration may, therefore, be confidently expected at an early day.

The report from the general land office shows increased activity in its operations. The survey of the northern boundary of Iowa has been completed with unexampled despatch. Within the last year 9,522,953 acres of public land have been surveyed, and 8,032,463 acres brought into market.

In the last fiscal year there were sold.....	1,553,071	acres.
Located with bounty land warrants.....	3,201,314	"
Located with other certificates.....	115,682	"
<hr/>		
Making a total of.....	4,870,067	"
In addition, there were—		
Reported under swamp land grants.....	5,219,188	"
For internal improvements, railroads, &c.....	3,025,920	"
<hr/>		
Making an aggregate of.....	13,115,175	"

Being an increase in the amount of lands sold and located under lands warrants of 569,220 acres over the previous year.

The whole amount thus sold, located under land warrants, reported under swamp land grants, and selected for internal improvements, exceeds that of the previous year by 3,342,372 acres; and the sales would, without doubt, have been much larger but for the extensive reservations for railroads in Missouri, Mississippi, and Alabama.

For the quarter ending 30th September, 1852, there were sold.....	243,255	acres.
Located with bounty land warrants.....	1,387,116	"
Located with other certificates.....	15,649	"
Reported under swamp land grants.....	2,485,233	"
<hr/>		
Making an aggregate for the quarter of.....	4,131,253	"

Much the larger portion of the labor of arranging and classifying the returns of the last census has been finished, and it will now devolve upon Congress to make the necessary provision for the publication of the results in such form as shall be deemed best. The apportionment of representation, on the basis of the new census, has been made by the secretary of the interior, in conformity with the provisions of law relating to that subject, and the recent elections have been made in accordance with it.

I commend to your favorable regard the suggestion contained in the report of the secretary of the interior, that provision be made by law for the publication and distribution, periodically, of an analytical digest of all the patents which have been, or may hereafter be, granted for useful inventions and discoveries, with such descriptions and illustrations as may be necessary to present an intelligible view of their nature and operation. The cost of such publication could easily be defrayed out of the patent

fund, and I am persuaded that it could be applied to no object more acceptable to inventors and beneficial to the public at large.

An appropriation of \$100,000 having been made at the last session for the purchase of a suitable site, and for the erection, furnishing, and fitting up of an asylum for the insane of the District of Columbia, and of the army and navy of the United States, the proper measures have been adopted to carry this beneficent purpose into effect.

By the latest advices from the Mexican boundary commission, it appears that the survey of the river Gila, from its confluence with the Colorado to its supposed intersection with the western line of New Mexico, has been completed. The survey of the Rio Grande has also been finished from the point agreed on by the commissioners as "the point where it strikes the southern boundary of New Mexico" to a point one hundred and thirty-five miles below Eagle Pass, which is about two thirds of the distance along the course of the river to its mouth.

The appropriation which was made at the last session of Congress for the continuation of the survey is subject to the following proviso:—

"*Provided*, That no part of this appropriation shall be used or expended until it shall be made satisfactorily to appear to the president of the United States that the southern boundary of New Mexico is not established by the commissioner and surveyor of the United States farther north of the town called 'Paso' than the same is laid down in Disturnell's map, which is added to the treaty."

My attention was drawn to this subject by a report from the department of the interior, which reviewed all the facts of the case, and submitted for my decision the question whether, under existing circumstances, any part of the appropriation could be lawfully used or expended for the further prosecution of the work. After a careful consideration of the subject, I came to the conclusion that it could not, and so informed the head of that department. Orders were immediately issued by him to the commissioner and surveyor to make no further requisitions on the department, as they could not be paid, and to discontinue all operations on the southern line of New Mexico. But as the department had no exact information as to the amount of provisions and money which remained unexpended in the hands of the commissioner and surveyor, it was left discretionary with them to continue the survey down the Rio Grande as far as the means at their disposal would enable them, or at once to disband the commission. A special messenger has since arrived from the officer in charge of the survey on the river, with information that the funds subject to his control were exhausted, and that the officers and others employed in the service were destitute alike of the means of prosecuting the work and of returning to their homes.

The object of the proviso was doubtless to arrest the survey of the southern and western lines of New Mexico, in regard to which different opinions have been expressed; for it is hardly to be supposed that there could be any objection to that part of the line which extends along the channel of the Rio Grande. But the terms of the law are so broad as to forbid the use of any part of the money for the prosecution of the work, or even for the payment to the officers and agents of the arrearages of pay which are justly due to them.

I earnestly invite your prompt attention to this subject, and recommend a modification of the terms of the proviso, so as to enable the department to use as much of the appropriation as will be necessary to discharge the

existing obligations of the government, and to complete the survey of the Rio Grande to its mouth.

It will also be proper to make further provision by law for the fulfilment of our treaty with Mexico, for running and marking the residue of the boundary line between the two countries.

Permit me to invite your particular attention to the interests of the District of Columbia, which are confided by the constitution to your peculiar care. Among the measures which seem to me of the greatest importance to its prosperity, are the introduction of a copious supply of water into the city of Washington, and the construction of suitable bridges across the Potomac, to replace those which were destroyed by high water in the early part of the present year.

At the last session of Congress an appropriation was made to defray the cost of the surveys necessary for determining the best means of affording an unfailing supply of good and wholesome water. Some progress has been made in the survey, and as soon as it is completed the result will be laid before you.

Further appropriations will also be necessary for grading and paving the streets and avenues, and enclosing and embellishing the public grounds within the city of Washington.

I commend all these objects, together with the charitable institutions of the district, to your favorable regard.

Every effort has been made to protect our frontier, and that of the adjoining Mexican states from the incursions of the Indian tribes. Of about 11,000 men of which the army is composed, nearly 8,000 are employed in the defence of the newly-acquired territory (including Texas), and of emigrants proceeding thereto. I am gratified to say that these efforts have been unusually successful. With the exception of some partial outbreaks in California and Oregon, and occasional depredations on a portion of the Rio Grande, owing, it is believed, to the disturbed state of that border region, the inroads of the Indians have been effectually restrained.

Experience has shown, however, that whenever the two races are brought into contact, collisions will inevitably occur. To prevent these collisions the United States have generally set apart portions of their territory for the exclusive occupation of the Indian tribes. A difficulty occurs, however, in the application of this policy to Texas. By the terms of the compact by which that state was admitted into the Union, she retained the ownership of all the vacant lands within her limits. The government of that state, it is understood, has assigned no portion of her territory to the Indians; but, as fast as her settlements advance, lays it off into counties, and proceeds to survey and sell it. This policy manifestly tends, not only to alarm and irritate the Indians, but to compel them to resort to plunder for subsistence. It also deprives this government of that influence and control over them without which no durable peace can ever exist between them and the whites. I trust, therefore, that a due regard for her own interests, apart from the consideration of humanity and justice, will induce that state to assign a small portion of her vast domain for the provisional occupancy of the small remnants of tribes within her borders, subject, of course, to her ownership and eventual jurisdiction. If she should fail to do this, the fulfilment of our treaty stipulations with Mexico, and our duty to the Indians themselves, will, it is feared, become a subject of serious embarrassment to the government. It is hoped, however, that a timely and just provision by Texas may avert this evil.

No appropriations for fortifications were made at the last two sessions of Congress. The cause of this omission is, probably, to be found in a growing belief that the system of fortifications adopted in 1816, and heretofore acted on, requires revision.

The subject certainly deserves full and careful investigation; but it should not be delayed longer than can be avoided. In the meantime, there are certain works which have been commenced—some of them nearly completed—designed to protect our principal seaports from Boston to New Orleans, and a few other important points. In regard to the necessity for these works, it is believed that little difference of opinion exists among military men. I therefore recommend that the appropriations necessary to prosecute them be made.

I invite your attention to the remarks on this subject, and on others connected with his department, contained in the accompanying report of the secretary of war.

Measures have been taken to carry into effect the law of the last session making provision for the improvement of certain rivers and harbors, and it is believed that the arrangements made for that purpose will combine efficiency with economy. Owing chiefly to the advanced season when the act was passed, little has yet been done in regard to many of the works beyond making the necessary preparations. With respect to a few of the improvements, the sums already appropriated will suffice to complete them; but most of them will require additional appropriations. I trust that these appropriations will be made, and that this wise and beneficent policy so auspiciously resumed, will be continued. Great care should be taken, however, to commence no work which is not of sufficient importance to the commerce of the country to be viewed as national in its character. But works which have been commenced should not be discontinued until completed, as otherwise the sums expended will, in most cases, be lost.

The report from the navy department will inform you of the prosperous condition of the branch of the public service committed to its charge. It presents to your consideration many topics and suggestions of which I ask your approval. It exhibits an unusual degree of activity in the operations of the department during the past year. The preparations for the Japan expedition, to which I have already alluded; the arrangements made for the exploration and survey of the China seas, the northern Pacific, and Behring's straits; the incipient measures taken toward a reconnaissance of the continent of Africa eastward of Liberia; the preparation for an early examination of the tributaries of the river La Plata, which a recent decree of the provisional chief of the Argentine confederation has opened to navigation—all these enterprises, and the means by which they are proposed to be accomplished, have commanded my full approbation, and I have no doubt will be productive of most useful results.

Two officers of the navy were heretofore instructed to explore the whole extent of the Amazon river from the confines of Peru to its mouth. The return of one of them has placed in the possession of the government an interesting and valuable account of the character and resources of a country abounding in the materials of commerce, and which, if opened to the industry of the world, will prove an inexhaustible fund of wealth. The report of this exploration will be communicated to you as soon as it is completed.

Among other subjects offered to your notice by the secretary of the

navy, I select for special commendation, in view of its connexion with the interests of the navy, the plan submitted by him for the establishment of a permanent corps of seamen, and the suggestions he has presented for the reorganization of the naval academy.

In reference to the first of these, I take occasion to say that I think it will greatly improve the efficiency of the service, and that I regard it as still more entitled to favor for the salutary influence it must exert upon the naval discipline, now greatly disturbed by the increasing spirit of insubordination, resulting from our present system. The plan proposed for the organization of the seamen furnishes a judicious substitute for the law of September, 1850, abolishing corporal punishment, and satisfactorily sustains the policy of that act, under conditions well adapted to maintain the authority of command and the order and security of our ships. It is believed that any change which proposes permanently to dispense with this mode of punishment should be preceded by a system of enlistment which shall supply the navy with seamen of the most meritorious class, whose good deportment and pride of character may preclude all occasion for a resort to penalties of a harsh or degrading nature. The safety of a ship and her crew is often dependent upon immediate obedience to a command, and the authority to enforce it must be equally ready. The arrest of a refractory seaman, in such moments, not only deprives the ship of indispensable aid, but imposes a necessity for double service on others, whose fidelity to their duties may be relied upon in such an emergency. The exposure to this increased and arduous labor, since the passage of the act of 1850, has already had, to a most observable and injurious extent, the effect of preventing the enlistment of the best seamen in the navy. The plan now suggested is designed to promote a condition of service in which this objection will no longer exist. The details of this plan may be established in great part, if not altogether, by the executive, under the authority of existing laws; but I have thought it proper, in accordance with the suggestion of the secretary of the navy, to submit it to your approval.

The establishment of a corps of apprentices for the navy, or boys to be enlisted until they become of age, and to be employed under such regulations as the navy department may devise, as proposed in the report, I cordially approve, and commend to your consideration; and I also concur in the suggestion that this system for the early training of seamen may be most usefully ingrafted upon the service of our merchant marine.

The other proposition of the report to which I have referred—the reorganization of the naval academy—I recommend to your attention as a project worthy of your encouragement and support. The valuable services already rendered by this institution entitle it to the continuance of your fostering care.

Your attention is respectfully called to the report of the postmaster-general for the detailed operation of his department during the last fiscal year, from which it will be seen that the receipts from postages for that time were less by \$1,431,696 than for the preceding fiscal year, being a decrease of about 23 per cent.

This diminution is attributable to the reduction in the rates of postage made by the act of March 3, 1851, which reduction took effect at the commencement of the last fiscal year.

Although, in its operation during the last year, the act referred to has not fulfilled the predictions of its friends, by increasing the correspond-

ence of the country in proportion to the reduction of postage, I should, nevertheless, question the policy of returning to higher rates. Experience warrants the expectation that, as the community becomes accustomed to cheap postage, correspondence will increase. It is believed that from this cause, and the rapid growth of the country in population and business, the receipts of the department must ultimately exceed its expenses, and that the country may safely rely upon the continuance of the present cheap rate of postage.

In former messages I have, among other things, respectfully recommended to the consideration of Congress the propriety and necessity of further legislation for the protection and punishment of foreign consuls residing in the United States; to revive, with certain modifications, the act of 10th March, 1838, to restrain unlawful military expeditions against the inhabitants of conterminous states or territories; for the preservation and protection from mutilation or theft of the papers, records, and archives of the nation; for authorizing the surplus revenue to be applied to the payment of the public debt in advance of the time when it will become due; for the establishment of land offices for the sale of the public lands in California and the territory of Oregon; for the construction of a road from the Mississippi valley to the Pacific ocean; for the establishment of a bureau of agriculture for the promotion of that interest—perhaps the most important in the country; for the prevention of frauds upon the government in applications for pensions and bounty lands; for the establishment of a uniform fee bill, prescribing a specific compensation for every service required of clerks, district attorneys, and marshals; for authorizing an additional regiment of mounted men, for the defence of our frontiers against the Indians, and for fulfilling our treaty stipulations with Mexico to defend her citizens against the Indians “with equal diligence and energy as our own;” for determining the relative rank between the naval and civil officers in our public ships, and between the officers of the army and navy in the various grades of each; for reorganizing the naval establishment by fixing the number of officers in each grade, and providing for a retired list upon reduced pay of those unfit for active duty; for prescribing and regulating punishments in the navy; for the appointment of a commission to revise the public statutes of the United States, by arranging them in order, supplying deficiencies, correcting incongruities, simplifying their language, and reporting them to Congress for its final action; and for the establishment of a commission to adjudicate and settle private claims against the United States. I am not aware, however, that any of these subjects have been finally acted upon by Congress. Without repeating the reasons for legislation on these subjects which have been assigned in former messages, I respectfully recommend them again to your favorable consideration.

I think it due to the several executive departments of this government to bear testimony to the efficiency and integrity with which they are conducted. With all the careful superintendence which it is possible for the heads of those departments to exercise, still the due administration and guardianship of the public money must very much depend on the vigilance, intelligence, and fidelity of the subordinate officers and clerks, and especially on those intrusted with the settlement and adjustment of claims and accounts. I am gratified to believe that they have generally performed their duties faithfully and well. They are appointed to guard the approaches to the public treasury, and they occupy positions that expose

them to all the temptations and seductions which the cupidity of speculators and fraudulent claimants can prompt them to employ. It will be but a wise precaution to protect the government against that source of mischief and corruption, as far as it can be done, by the enactment of all proper legal penalties. The laws, in this respect, are supposed to be defective, and I therefore deem it my duty to call your attention to the subject, and to recommend that provision be made by law for the punishment not only of those who shall accept bribes, but also of those who shall either promise, give, or offer to give, to any of those officers or clerks a bribe or reward touching or relating to any matter of their official action or duty.

It has been the uniform policy of this government, from its foundation to the present day, to abstain from all interference in the domestic affairs of other nations. The consequence has been, that while the nations of Europe have been engaged in desolating wars, our country has pursued its peaceful course to unexampled prosperity and happiness. The wars in which we have been compelled to engage, in defence of the rights and honor of the country, have been fortunately of short duration. During the terrific contest of nation against nation, which succeeded the French revolution, we were enabled by the wisdom and firmness of President Washington to maintain our neutrality. While other nations were drawn into this wide-sweeping whirlpool, we sat quiet and unmoved upon our own shores. While the flower of their numerous armies was wasted by disease or perished by hundreds of thousands upon the battle-field, the youth of this favored land were permitted to enjoy the blessings of peace beneath the paternal roof. While the states of Europe incurred enormous debts, under the burden of which their subjects still groan, and which must absorb no small part of the product of the honest industry of those countries for generations to come, the United States have once been enabled to exhibit the proud spectacle of a nation free from public debt; and, if permitted to pursue our prosperous way for a few years longer in peace, we may do the same again.

But it is now said by some that this policy must be changed. Europe is no longer separated from us by a voyage of months, but steam navigation has brought her within a few days' sail of our shores. We see more of her movements, and take a deeper interest in her controversies. Although no one proposes that we should join the fraternity of potentates who have for ages lavished the blood and treasure of their subjects in maintaining "the balance of power," yet it is said that we ought to interfere between contending sovereigns and their subjects, for the purpose of overthrowing the monarchies of Europe and establishing in their place republican institutions. It is alleged that we have heretofore pursued a different course from a sense of our weakness but that now our conscious strength dictates a change of policy, and that it is consequently our duty to mingle in these contests and aid those who are struggling for liberty.

This is a most seductive but dangerous appeal to the generous sympathies of freemen. Enjoying, as we do, the blessings of a free government there is no man who has an American heart that would not rejoice to see these blessings extended to all other nations. We can not witness the struggle between the oppressed and his oppressor anywhere without the deepest sympathy for the former, and the most anxious desire for his triumph. Nevertheless, is it prudent or is it wise to involve ourselves in these foreign wars? Is it indeed true that we have heretofore refrained from doing so more from the degrading motive of a conscious weakness?

For the honor of the patriots who have gone before us, I can not admit it. Men of the revolution who drew the sword against the oppressions of the mother-country, and pledged to Heaven "their lives, their fortunes, and their sacred honor" to maintain their freedom, could never have been actuated by so unworthy a motive. They knew no weakness or fear where right or duty pointed the way, and it is a libel upon their fair fame for us, while we enjoy the blessings for which they so nobly fought and bled, to insinuate it. The truth is, that the course which they pursued was dictated by a stern sense of international justice, by a statesmanlike prudence, and a far-seeing wisdom, looking not merely to the present necessities but to the permanent safety and interest of the country. They knew that the world is governed less by sympathy than by reason and force; that it was not possible for this nation to become a "propagandist" of free principles without arraying against it the combined powers of Europe; and that the result was more likely to be the overthrow of republican liberty here than its establishment there. History has been written in vain for those who can doubt this. France had no sooner established a republican form of government than she manifested a desire to force its blessings on all the world. Her own historian informs us that, hearing of some petty acts of tyranny in a neighboring principality, "The national convention declared that she would afford succor and fraternity to all nations who wished to recover their liberty; and she gave it in charge to the executive power to give orders to the generals of the French armies to aid all citizens who might have been or should be oppressed in the cause of liberty." Here was the false step which led to her subsequent misfortunes. She soon found herself involved in war with all the rest of Europe. In less than ten years her government was changed from a republic to an empire; and, finally, after shedding rivers of blood, foreign powers restored her exiled dynasty, and exhausted Europe sought peace and repose in the unquestioned ascendancy of monarchical principles. Let us learn wisdom from her example. Let us remember that revolutions do not always establish freedom. Our own free institutions were not the offspring of our revolution. They existed before. They were planted in the free charters of self-government under which the English colonies grew up, and our revolution only freed us from the dominion of a foreign power, whose government was at variance with those institutions. But European nations have had no such training for self-government, and every effort to establish it by bloody revolutions has been, and must, without that preparation, continue to be a failure. Liberty, unregulated by law, degenerates into anarchy, which soon becomes the most horrid of all despotisms. Our policy is wisely to govern ourselves, and thereby to set such an example of national justice, prosperity, and true glory, as shall teach to all nations the blessings of self-government, and the unparalleled enterprise and success of a free people.

We live in an age of progress, and ours is emphatically a country of progress. Within the last half-century the number of states in this Union has nearly doubled, the population has almost quadrupled, and our boundaries have been extended from the Mississippi to the Pacific. Our territory is chequered over with railroads, and furrowed with canals. The inventive talent of our country is excited to the highest pitch, and the numerous applications for patents for valuable improvements distinguish this age and this people from all others. The genius of one American has enabled our commerce to move against wind and tide, and that of

another has annihilated distance in the transmission of intelligence. The whole country is full of enterprise. Our common schools are diffusing intelligence among the people, and our industry is fast accumulating the comforts and luxuries of life. This is in part owing to our peculiar position, to our fertile soil, and comparatively sparse population; but much of it is also owing to the popular institutions under which we live, to the freedom which every man feels to engage in any useful pursuit according to his taste or inclination, and to the entire confidence that his person and property will be protected by the laws. But, whatever may be the cause of this unparalleled growth in population, intelligence, and wealth, one thing is clear—that the government must keep pace with the progress of the people. It must participate in their spirit of enterprise, and while it exacts obedience to the laws, and restrains all unauthorized invasions of the rights of neighboring states, it should foster and protect home industry, and lend its powerful strength to the improvement of such means of intercommunication as are necessary to promote our internal commerce and strengthen the ties which bind us together as a people.

It is not strange, however much it may be regretted, that such an exuberance of enterprise should cause some individuals to mistake change for progress, and the invasion of the rights of others for national prowess and glory. The former are constantly agitating for some change in the organic law, or urging new and untried theories of human rights. The latter are ever ready to engage in any wild crusade against a neighboring people, regardless of the justice of the enterprise, and without looking at the fatal consequences to ourselves and to the cause of popular government. Such expeditions, however, are often stimulated by mercenary individuals, who expect to share the plunder or profit of the enterprise, without exposing themselves to danger, and are led on by some irresponsible foreigner, who abuses the hospitality of our own government, by seducing the young and ignorant to join in his scheme of personal ambition or revenge, under the false and delusive pretence of extending the area of freedom. These reprehensible aggressions but retard the true progress of our nation, and tarnish its fair fame. They should, therefore, receive the indignant frowns of every good citizen who sincerely loves his country and takes a pride in its prosperity and honor.

Our constitution, though not perfect, is doubtless the best that ever was formed. Therefore, let every proposition to change it be well weighed, and, if found beneficial, cautiously adopted. Every patriot will rejoice to see its authority so exerted as to advance the prosperity and honor of the nation, while he will watch with jealousy any attempt to mutilate this charter of our liberties, or pervert its powers to acts of aggression or injustice. Thus shall conservatism and progress blend their harmonious action in preserving the form and spirit of the constitution, and at the same time carry forward the great improvements of the country, with a rapidity and energy which freemen only can display.

In closing this, my last annual communication, permit me, fellow-citizens, to congratulate you on the prosperous condition of our beloved country. Abroad its relations with all foreign powers are friendly, its rights are respected, and its high place in the family of nations cheerfully recognised. At home we enjoy an amount of happiness, public and private, which has probably never fallen to the lot of any other people. Besides affording to our own citizens a degree of prosperity, of which on so large a scale I know of no other instance, our country is annually

affording a refuge and a home to multitudes, altogether without example, from the Old World.

We owe these blessings, under Heaven, to the happy constitution and government which were bequeathed to us by our fathers, and which it is our sacred duty to transmit in all their integrity to our children. We must all consider it a great distinction and privilege to have been chosen by the people to bear a part in the administration of such a government. Called by an unexpected dispensation to its highest trust at a season of embarrassment and alarm, I entered upon its arduous duties with extreme diffidence. I claim only to have discharged them to the best of an humble ability, with a single eye to the public good; and it is with devout gratitude, in retiring from office, that I leave the country in a state of peace and prosperity.

SPECIAL MESSAGE.

JANUARY 17, 1853.

To the Senate and House of Representatives :

I TRANSMIT, herewith, a communication lately received at the department of state from the minister of her most catholic majesty, accompanied by a letter of instructions from the Spanish government relative to the case of the "Amistad." In Mr. Calderon's communication reference is had to former letters addressed by him to the department of state on the same subject, copies of which are herewith transmitted, and an earnest wish is expressed that a final settlement of this long-pending claim should be made. The tone of the letter of instructions from Mr. Manuel Bertran de Lis is somewhat more peremptory than could be wished; but this circumstance will not probably prevent Congress from giving his suggestions the attention to which they may be entitled.

The claim of the Spanish government, on behalf of its subjects interested in the "Amistad," was the subject of discussion during the administration of President Tyler, between the Spanish minister and Mr. Webster, then secretary of state. In an elaborate letter of the latter, addressed to the Chevalier d'Argais on the 1st of September 1841, the opinion is confidently maintained that the claim is unfounded. The administration of President Polk took a different view of the matter. The justice of the claim was recognised in a letter from the department of state to the Spanish minister, of the 19th of March, 1847; and in his annual message of the same year the president recommended its payment.

Under these circumstances the attention of Congress is again invited to the subject. Respect to the Spanish government demands that its urgent representations should be candidly and impartially weighed. If Congress should be of opinion that the claim is just, every consideration points to the propriety of its prompt recognition and payment; and if the two houses should come to the opposite conclusion, it is equally desirable that the result should be announced without unnecessary delay.

SPECIAL MESSAGE.

JANUARY 18, 1853.

To the Senate and House of Representatives of the United States :

I HAVE the honor herewith to transmit a report from the secretary of the interior, from which it appears that the efforts of that department to induce the Indians remaining in Florida to migrate to the country assigned to their tribe, west of the Mississippi, have been entirely unsuccessful. The only alternative that now remains is, either to compel them by force to comply with the treaty made with the tribe in May, 1832, by which they agreed to migrate within three years from that date, or to allow the arrangement made with them in 1842, referred to in the secretary's report, by which they were permitted to remain in the temporary occupancy of a portion of the peninsula until the government should see fit to remove them, to continue.

It can not be denied that the withholding of so large a portion of her territory from settlement is a serious injury to the state of Florida ; and although, ever since the arrangement above referred to, the Indians have manifested a desire to remain at peace with the whites, the presence of a people who may at any time, and upon any real or fancied provocation, be driven to acts of hostility, is a source of constant anxiety and alarm to the inhabitants on that border.

There can be no doubt, also, that the welfare of the Indians would be promoted by their removal from a territory where frequent collisions between them and their more powerful neighbors are daily becoming more inevitable.

On the other hand, there is every reason to believe that any manifestation of a design to remove them by force, or to take possession of the territory allotted to them, would be immediately retaliated by acts of cruelty on the defenceless inhabitants.

The number of Indians now remaining in the state is, it is true, very inconsiderable (not exceeding, it is believed, five hundred) ; but, owing to the great extent of the country occupied by them, and its adaptation to their peculiar mode of warfare, a force very disproportioned to their numbers would be necessary to capture or expel them, or even to protect the white settlements from their incursions. The military force now stationed in that state would be inadequate to these objects ; and if it should be determined to enforce their removal, or to survey the territory allotted to them, some additions to it would be necessary, as the government has but a small force available for that service. Additional appropriations for the support of the army would also, in that event, be necessary.

For these reasons I have deemed it proper to submit the whole matter to Congress for such action as they may deem best.

SPECIAL MESSAGE.

FEBRUARY 7, 1853.

To the Senate and House of Representatives :

HAVING, in my message to Congress at the opening of the session, adverted to the pending negotiations between this government and that of Great Britain relative to the fisheries and commercial reciprocity with the British American provinces, I transmit, for the information of Congress, the accompanying report from the department of state on the present state of the negotiations, and I respectfully invite the attention of the two houses to the suggestion in the latter part of the report.

SPECIAL MESSAGE.

FEBRUARY 18, 1853.

To the Senate and House of Representatives :

I TRANSMIT a report from the secretary of state, embodying the substance of recent communications made by the minister of her Britannic Majesty to the department of state, on the subject of the inter-oceanic canal, by the Nicaragua route, which formed the chief object of the treaty between the United States and Great Britain, of the 19th April, 1850, and the relations of Great Britain to the protectorate of Mosquito, which she expresses herself desirous of relinquishing on terms consistent with her honorable engagements to the Indians of that name.

In consequence of these communications, and other considerations, stated in the report, it is deemed advisable by the department that our diplomatic relations with the states of Central America should be placed on a higher and more efficient footing, and this measure meets my approbation. The whole subject is one of so much delicacy and importance that I should have preferred, so near the close of my administration, not to make it the subject of an executive communication. But, inasmuch as the measure proposed can not, even if deemed expedient by my successor, take effect for near a twelvemonth, unless an appropriation is made by this Congress, I have thought it my duty to submit the report of the department to the two houses. The importance of the measure seemed to require an exposition somewhat in detail of the grounds on which it is recommended.

ADMINISTRATION OF FILLMORE.

ON Wednesday, July 10th, 1850, Millard Fillmore—who had been elected vice-president in 1848, having acceded to the presidency in consequence of the death of President Taylor the previous night, viz., 9th of July—transmitted to both houses of Congress the following messages:—

"Fellow-Citizens of the Senate and House of Representatives:—

"I have to perform the melancholy duty of announcing to you that it has pleased Almighty God to remove from this life Zachary Taylor, late president of the United States. He deceased last evening, at the hour of half-past ten o'clock, in the midst of his family, and surrounded by affectionate friends, calmly and in the full possession of all his faculties. Among his last words were these, which he uttered with emphatic distinctness: 'I have always done my duty—I am ready to die—my only regret is for the friends I leave behind me.'

"Having announced to you, fellow-citizens, this most afflicting bereavement, and assuring you that it has penetrated no heart with deeper grief than mine, it remains for me to say, that I propose this day, at 12 o'clock, in the hall of the house of representatives, in the presence of both houses of Congress, to take the oath prescribed by the constitution, to enable me to enter on the execution of the office which this event has devolved on me.

"MILLARD FILLMORE."

"WASHINGTON, July 10, 1850."

"Fellow-Citizens of the Senate and House of Representatives:—

"A great man has fallen among us, and a whole country is called to an occasion of unexpected, deep, and general mourning.

"I recommend to the two houses of Congress to adopt such measures as in their discretion may seem proper, to perform with due solemnities the funeral obsequies of Zachary Taylor, late president of the United States; and thereby to signify the great and affectionate regard of the American people for the memory of one whose life has been devoted to the public service; whose career in arms has not been surpassed in usefulness or brilliancy; who has been so recently raised by the unsolicited voice of the people to the highest civil authority in the government which

he administered with so much honor and advantage to his country; and by whose sudden death so many hopes of future usefulness have been blighted for ever.

"To you, senators and representatives of a nation in tears, I can say nothing which can alleviate the sorrow with which you are oppressed. I appeal to you to aid me, under the trying circumstances which surround me, in the discharge of the duties from which, however much I may be oppressed by them, I dare not shrink; and I rely upon him who holds in his hands the destinies of nations, to endow me with the requisite strength for the task, and to avert from our country the evils apprehended from the heavy calamity which has befallen us.

"I shall most readily concur in whatever measures the wisdom of the two houses may suggest, as befitting this deeply melancholy occasion.

"MILLARD FILLMORE.

"WASHINGTON, July 10, 1850."

After this message was read in the senate, Mr. Downs, of Louisiana, offered resolutions appointing a committee of arrangement for the funeral, on the part of the senate; and accompanied the introduction of the same with a eulogy upon the deceased president. Messrs. Webster, Cass, Pearce, King, and Berrien, followed in appropriate remarks, after which the resolutions were unanimously adopted. In the house similar resolutions were adopted, being offered by Mr. Conrad, of Louisiana, who addressed the house on the subject of the life and character of General Taylor, and was responded to by Messrs. Winthrop, of Massachusetts, Baker, of Illinois, Bayly, of Virginia, Hilliard, of Alabama, McLane, of Maryland, and Marshall, of Kentucky.

The following day the committee of arrangements for the funeral, which was fixed for Saturday, the 13th of July, made their report to both houses. Mr. Underwood, of Kentucky, made a few eloquent remarks in the senate, expressive of deep sympathy for the nation's loss, and of respect and admiration for the character of General Taylor. On motion of Mr. Webster, the report of the committee of arrangements for the funeral was concurred in. A similar report was made in the house of representatives, by Mr. Conrad, of Louisiana, one of the joint committee, and adopted. The military and naval arrangements of the funeral were placed under the direction of Major-General Scott, and Commodore Warrington, the senior naval officer present in Washington.

The funeral of General Taylor was attended by the members of both houses of Congress, the president, and other public officers, the army and naval officers in Washington, and citizens and strangers, on the 13th of July. On the 15th of July, the following joint resolution of condolence with the widow of General Taylor, was unanimously adopted by both houses.

"Resolved by the Senate and House of Representatives in Congress

assembled, That the president of the United States be requested to transmit a copy of the proceedings of the two houses on the 10th inst., in relation to the death of the late president of the United States, to Mrs. Margaret Taylor, and to assure her of the profound respect of the two houses of Congress for her person and character, and of their sincere condolence on the late afflicting dispensation of Providence."

The president nominated the following gentlemen to compose the cabinet of the new administration, who were immediately confirmed by the senate, and entered on their respective duties : Daniel Webster, of Massachusetts, secretary of state ; Thomas Corwin, of Ohio, secretary of the treasury ; Charles M. Conrad, of Louisiana, secretary of war ; William A. Graham, of North Carolina, secretary of the navy ; Alexander H. H. Stuart, of Virginia, secretary of the interior ; Nathan K. Hall, of New York, postmaster-general ; John J. Crittenden, of Kentucky, attorney-general. The announcement of these names as members of the cabinet of Mr. Fillmore was generally favorably received throughout the nation, and inspired the people with confidence in the administration.

A message from President Fillmore was received in the house of representatives on the 6th of August, with regard to the difficulties with Texas, and transmitting a letter from Governor Bell, of that state, in which he complained of the conduct of Colonel Monroe, civil and military governor of New Mexico. By direction of the president, Mr. Webster replied to the letter of Governor Bell, explaining the course of the government of the United States, and recalling the circumstances of the case as they existed under the military government established by the late president Polk. It was shown by Mr. Webster that the authority of the United States over New Mexico was the result of conquest, and the possession was that of a military character. The military government existed there of inevitable necessity, as much against the will of the executive as against the will of the people. The late president Taylor thought, that under these circumstances it was justifiable in the people of the territory to form a constitution without previous authority from Congress, and thereupon apply for admission as a state. It was under such a state of things and such opinions, that the order of November, 1849, was given. This order indicates no boundary, and defines no territory, except by the name of New Mexico. And so far as that indicated anything, it referred to a known territory, organized under military authority, approved by the executive, and left without remonstrance or alteration by Congress for more than three years. The president disavows any intention to assume the authority to settle the boundary dispute between New Mexico and Texas. It had been shown that Colonel Monroe could have had no intention of this kind, and that his aid was merely given to assist the people in forming a state constitution, to be afterward presented for approval to Congress. The constitution of New Mexico could have no legal validity

until it was recognised by the law-making power of the government of the United States.

The object of the executive government, Mr. Webster remarked, had been, and was then, to secure the peace of the country ; to maintain, as far as practicable, the state of things existing at the date of the treaty ; and to uphold the rights of the respective parties until they could be settled by competent authority.

When the bill for the suppression of the slave-trade in the District of Columbia was under discussion in the senate, on the 10th of September, the other compromise measures having been adopted, as we have stated, Mr. Seward, of New York, moved an amendment, " That slavery in the district be entirely abrogated : that its abolition depend on the vote of the of the inhabitants ; and that in case, on such vote being taken, it should be in favor of emancipation, the sum of two hundred thousand dollars be appropriated to pay the owners of the slaves for whatever loss they may suffer." A brief debate took place on the amendment, which, on the following day, Mr. Seward desired to withdraw, but objection being made, it was put to the vote and rejected, yeas 5, nays 45. The bill finally passed the senate substantially as reported, 33 to 19, and on the following day passed the house of representatives, 125 to 49.

Besides the compromise measures referred to, but few acts of public interest were passed by the thirty-first Congress, at this first and long session of ten months ; among them were acts authorizing the negotiation of treaties with Indian tribes in Oregon ; to increase the rank and file of the army ; to reduce the minimum price of the mineral lands in Michigan and Wisconsin ; granting the right of way and making a grant of land to the states of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile ; providing for the taking of the seventh and subsequent censuses of the United States, and to fix the number of the members of the house of representatives, and to provide for their future apportionment among the several states ; several acts relating to California ; making appropriations for lighthouses, light-boats, &c. ; making appropriations for public buildings in the territories of Minnesota and Oregon ; establishing a territorial government for Utah ; making appropriations for fortifications ; granting bounty lands to certain officers and soldiers who have been engaged in the military service of the United States ; joint resolutions authorizing the president to accept and attach to the navy two vessels offered by Henry Grinnell, Esq., of New York, to be sent to the Arctic seas in search of Sir John Franklin and his companions ; authorizing the purchase of the manuscript farewell address of George Washington. The last resolution proved ineffectual, as the manuscript of Washington's farewell address was sold at auction, in Philadelphia, and purchased by James Lenox, Esq., of New York, for \$2,300, a price ex-

seeding that which the library committee of Congress felt justified in paying for the same.

The second session of the 31st Congress commenced on Monday, the 2d of December, 1850, and terminated with the expiration of their term, at noon of the 4th of March, 1851. A considerable portion of the time of this short term was taken up in unprofitable discussions on various subjects, and many important bills which were matured by the committees of the two houses remained to be acted upon the last two weeks of the session. The consequence was the failure of many measures in which much interest was felt by the public. Some of these bills were lost through the pressure of business and want of time; others through the violence of opposition to the bills. Among the latter was the river and harbor appropriation bill, which involved principles always disputed by that portion of the democratic party who adhered to the strictest construction of the constitution, as particularly set forth in the veto message of the late president Polk, and some of his predecessors, denying to the national government full powers to construct works of internal improvement, or those works deemed of local character. A majority of the house of representatives had passed a bill making appropriations on a liberal scale, for the improvement of rivers and harbors, but it was defeated in the senate on the last night of the session, although a majority of that body were favorable to the measure, by the pertinacity and tact of the opposition, in preventing a direct vote upon the bill. A bill making appropriations for French spoliations on American commerce previous to the year 1800, was also lost; likewise a joint resolution creating the grade of lieutenant-general in the army, intended in honor of Major-General Scott, for his long military career in the service of the country.

Among the most important bills passed were the civil and diplomatic appropriation bill; the army and navy appropriation bills; a bill establishing new postoffices and post-routes; a bill making appropriations for light-houses; an act to divide the district of Arkansas into two judicial districts; an act to reduce and modify the rates of postage, by which the rates of postage on single letters were reduced to three cents on all prepaid letters; and five cents if not prepaid, on all distances under 3,000 miles; and double those rates for distances exceeding 3,000 miles. A similar reduction was made by the bill, in the postage of newspapers and periodicals. Acts also passed, to amend the regulations for the appraisement of merchandise imported; to ascertain and settle private land claims in California; to found a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States; joint resolutions for the appointment of regents of the Smithsonian institution; directing the distribution of the works of Alexander Hamilton (printed from papers previously purchased by Congress); and one authorizing the president to send a government vessel to the Mediterranean to bring Kossuth, the

Hungarian general, and other exiles among his countrymen, to the United States.

Thus terminated the labors of the thirty-first Congress, which, during its official term, had been more days in session than any preceding Congress since the adoption of the federal constitution. The peculiar circumstances of the times, and the agitation of questions of vital interest, caused the consumption of much of the time of each session ; but several highly important measures were settled, after arduous debates, tending to the perpetuity of the Union and the national prosperity.

The first session of the thirty-second Congress commenced at Washington, on Monday, the first of December, 1851, and continued until the thirtieth of August, 1852—a period of two hundred and seventy-three days. There was a decided majority of members in both branches opposed to the whig administration. In the senate, thirty-six of the sixty-two members were of the democratic party ; and in the house of representatives, there were one hundred and forty democrats to eighty-eight whigs, and five free-soilers, or those opposed to slavery in the new territories. The senators assembled at the hour of twelve, meridian, and a quorum being present, the president *pro tem*, William R. King, called the senate to order, and after devotional exercises, the credentials of new senators were presented. The house of representatives was called to order also at twelve o'clock, by Richard M. Young, clerk of the last house, and two hundred and eighteen members answered to their names. On voting for speaker, Linn Boyd, a democratic member from Kentucky, was chosen on the first trial, having received one hundred and eighteen votes, against ninety-five for all others. John W. Forney (democrat), of Pennsylvania, was chosen clerk on the first vote, by one hundred and twenty, against eighty-eight for all others.

On the following day the president's message was transmitted to Congress. It presented a favorable view of the condition of the country, and its affairs domestic and foreign. Allusion having been made in the message to the resolution of Congress authorizing the president to employ a public vessel to convey to this country, from their exile in Turkey, Louis Kossuth, late governor of Hungary, and his associates, and they having arrived in the United States, Mr. Foote, of Mississippi, introduced a joint resolution in the senate, to provide for the reception and entertainment of Kossuth at the metropolis of the Union. A joint resolution was subsequently presented by Mr. Seward, a senator from New York ; which, after much discussion, was adopted by a large vote. It was in the following words : "That Congress, in the name and behalf of the people of the United States, give Louis Kossuth a cordial welcome to the capital and the country." The objections urged against this resolution were, that no foreigner but Lafayette had ever received so exalted an honor as a national welcome, and that he had peculiar claims on this nation, which

were wanting in the case of Kossuth; that this measure was against all international precedent; that it would embroil us with several of the European powers, with whom we were now on peaceful terms; and that non-interference with transatlantic dissensions was the fundamental principle of our national policy, solemnly established by precedents in the administrations of Washington and Madison. It was further contended, that the cause of free institutions abroad was more truly fostered by the growth and prosperity of the United States, than it could ever be by the most successful war. The advocates of the resolution urged that the government had committed the country in this matter, by placing a national vessel at the service of Kossuth, and the welcome was but the consummation of the invitation. The measure finally passed both houses by large majorities.

According to the accepted offer of the United States government to convey the Hungarian exiles to this country, the United States steamship *Mississippi* had in September, 1851, sailed from Constantinople through the Dardanelles. A Turkish frigate also left her moorings in the Bosphorus for the port of Gemlik, where Kossuth and his comrades, who had been under the protection of Turkey at Kutaya, were to embark. They were received with due honor on board of the United States ship, which immediately sailed for Marseilles. Being refused a passage through France, by the French government, Kossuth remained on board the steamer until she reached Gibraltar. Being determined to make a hasty visit to England, he left the American ship, and proceeded to Southampton in an English steamer. Having received a cordial welcome from the people of several parts of England, Kossuth embarked for the United States in the steamer *Humboldt*, and arrived in the harbor of New York on the 5th of December, 1851. A public reception was given him by the people of Staten Island; and on the 6th, which was selected by the authorities of the city of New York to celebrate his arrival, and make a great demonstration of American sympathy and respect, he made his entry into the city, amid a vast concourse of people assembled to welcome him, and attended by a grand military and civic procession. His address on the occasion was remarkable for its bold and dignified sentiments, and for the highest order of eloquence. He remained for some days in New York as the guest of the city; and on the 11th of December a banquet was given him by the common council, when he made an elaborate speech, vindicating his appeal to the people of the United States in behalf of Hungary. His profound knowledge of American institutions and the foreign policy of this country, and the facility with which he spoke the English language, so recently acquired by him, with the fascinating style of his eloquence, amazed and delighted the immense audience assembled on the occasion. Various other entertainments were given him in the city, and deputations of citizens of different classes, and

from various parts of the United States, waited on him with their welcome. The circumstances attending the reception of Kossuth constituted one of the most extraordinary spectacles the New World had ever yet beheld. And it was not merely the more inflammable portions of the community that felt the strange fascination excited by the Hungarian chief; but the very classes that are usually the most conservative, the most skeptical of popular judgment, and the quickest to endeavor to check the popular favor, were the foremost in hailing Kossuth as the prominent hero of revolutionary Europe, and the most eloquent orator of the nineteenth century. The first check to this enthusiasm was visible in the senate of the United States. The essential constitutional function of this body is to prevent great national questions from being carried by acclamation; and from this quarter first proceeded the caution to the nation, not to let their sympathies with the oppressed people of the Old World hurry them into useless contentions with their rulers. There was also a disposition in the president and cabinet to repress the public enthusiasm in favor of Kossuth, by giving him a formal and somewhat cool reception, and by discountenancing all efforts to commit the government of the United States to the cause of Hungary, by interfering in her favor against Austria. After public receptions and addresses at Philadelphia and Baltimore, Kossuth proceeded to Washington, where he was received by two of the senators and the United States marshal of the District of Columbia. He was shortly afterward waited upon by Mr. Webster, secretary of state, and by prominent members of Congress. On the 31st of December he was presented to the president by Secretary Webster, and Senators Seward and Shields. M. Kossuth read a short address to the president, in which he expressed his gratitude for himself, his associates, and his country, for the encouragement and sympathy shown by our government toward the Hungarian cause.

The reply of President Fillmore was as follows: "I am happy, Governor Kossuth, to welcome you to this land of freedom; and it gives me pleasure to congratulate you upon your release from a long confinement in Turkey, and your safe arrival here. As an individual, I sympathized deeply with you in your brave struggle for the independence and freedom of your native land. The American people can never be indifferent to such a contest; but our policy as a nation, in this respect, has been uniform from the commencement of our government; and my own views, as the chief executive magistrate of this nation, are fully and freely expressed in my recent message to Congress, to which you have been pleased to allude. They are the same, whether speaking to Congress here, or to the nations of Europe.

"Should your country be restored to independence and freedom, I should then wish you, as the greatest blessing you could enjoy, a restoration to your native land: but, should that never happen, I can only repeat

my welcome to you and your companions here, and pray that God's blessing may rest upon you wherever your lot may be cast."

On the 5th of January, 1852, M. Kossuth was introduced to the senate. He entered the senate-chamber accompanied by Senators Cass and Seward, and leaning upon the arm of Senator Shields, who said: "Mr. President, we have the honor to announce Louis Kossuth to the senate of the United States." The president of the senate then invited the distinguished guest to a seat placed in front of the secretary's desk. The senate then adjourned, and the senators came forward and were introduced to M. Kossuth by Messrs. Seward and Shields. On the same day, the resolution inviting M. Kossuth to the house of representatives was passed by that body, by a vote of one hundred and twenty-three to fifty-four. On the second day following (January 5), the introduction took place, with the same ceremonies as in the senate. M. Kossuth, escorted by the committee of reception and followed by his suite, entered the hall, and advanced up the aisle in front of the speaker, the members of the house generally rising to receive him. Mr. Carter, of Ohio, chairman of the committee, said:—"Mr. Speaker: We have the honor to present Governor Louis Kossuth to the house of representatives of the United States." The speaker said: "As the organ of this body, I have the honor to extend to Louis Kossuth a cordial welcome to the house of representatives of the United States." To which Kossuth replied:—"Sir: It is a remarkable fact in the history of mankind, that while, through all the past, honors were bestowed upon glory, and glory was attached only to success, the legislative authorities of this great republic bestow the highest honors upon a persecuted exile, not conspicuous by glory nor favored by success, but engaged in a just cause. There is a triumph of republican principles in this fact. Sir, in my own and my country's name, I thank the house of representatives of the United States for the honor of this cordial welcome."

M. Kossuth was then conducted by the committee to a chair which had been prepared for him, and the house adjourned for the purpose of giving the members an opportunity to pay their respects to him. The representatives were then presented by the speaker and committee of reception to M. Kossuth; as were also the immense crowd of ladies and gentlemen who had assembled on the occasion. A congressional banquet was given to Kossuth, on a subsequent day, at the National hotel, at which William R. King, president of the senate, presided; Kossuth and Speaker Boyd being on his right, and Daniel Webster, secretary of state, on the left. The room was decorated with banners, &c., and three hundred guests, including the most prominent statesmen from the representatives' hall to the cabinet, were present. The speech of Kossuth on the occasion was marked with his usual ability and eloquence. Among others who spoke in reply, the secretary of state, Daniel Webster, addressed the company

in laudation of the guest of the evening, and of the importance of the events attending Kossuth's career to his own country and to this, and proceeded at length, with his usual impressiveness, to speak of the Hungarian cause—setting forth the peculiar fitness of that country for an independent government—in the course of which, he referred to his speeches in favor of Greece, in 1825, as containing the sentiments which he still held on the question of national inviolability. Mr. Webster concluded his remarks with the following sentiment: "Hungarian independence; Hungarian control of her own destinies; and Hungary as a distinct nationality among the nations of Europe."

Before leaving Washington city, Kossuth addressed a letter to the president of the United States, expressing his gratitude and thanks to the government and Congress of the United States for their kindness to him, as the humble representative of his country, from the time when they sent a steam-frigate to Asia, in order to restore him to liberty, to the moment of his official reception at Washington. These farewell thanks Kossuth directed to the president, with a request to communicate his "assurance of everlasting gratitude to the senate and house of representatives." After his departure for the west, the secretary of state, Mr. Webster, informed Kossuth, by letter, that his request would have been complied with, if it were consistent with the accepted form, and suggested as more appropriate that his communication should be made to Congress. Kossuth accordingly sent from Cincinnati a letter of thanks, inclosing a copy of his letter to President Fillmore, to the presiding officer of both houses of Congress. In the senate, his communications were read, and after debate ordered to be printed. In the house of representatives, the letter of Kossuth was received and laid on the table. Various resolutions on the subject of foreign intervention were submitted and debated in both houses of Congress, but nothing important was determined, except the evident intention shown by Congress that the uniform policy of the United States should not be changed in favor of Hungary. After visiting the western states and various other parts of the country, Kossuth returned to New York, whence he embarked for England in July, 1852.

On the 24th of December, 1851, the Congressional library, at Washington, was mostly destroyed by fire, and the whole capitol was in imminent danger of sharing the same fate: About thirty-five thousand volumes were destroyed. The number of volumes in the library was about fifty-five thousand, including the library of Mr. Jefferson, purchased by Congress after the destruction of the public buildings by the British troops in 1814. Many of the books in the Jefferson library were saved. Twelve hundred bronze medals, presented by M. Vatte-mare, of France, and rare and valuable books, presented by foreign governments, were lost. The original draft of the Declaration of Independence was fortu-

nately saved, as were also some of the portraits of the presidents and various medals. The books in the adjoining room to the main library, numbering twenty thousand volumes, were saved. Congress immediately appropriated money for repairing the capitol, and for the purchase of books.

The amount of public business accomplished during this long session of Congress was but small, a large proportion of the time of both houses being taken up in the discussion of abstract questions and controverted points, leading to no definite results. The near approach of another presidential election evidently influenced the minds and actions of members of Congress, anxious for the success of their respective parties and favorites.

Henry Clay, the distinguished statesman, and one of the senators from Kentucky, died at Washington on the 29th June, 1852, aged seventy-five years. The proceedings of both branches of Congress, on the day subsequent to his death, were of the most impressive character. Men of all parties forgot their differences of opinion, in their zeal to do honor to the memory of the great statesman, and joined together in eulogies of truth and sincerity. Funeral ceremonies were performed, July 1, in the senate, after which the body was transferred to the cars, on its journey to Lexington, Kentucky. Funereal honors were paid to the memory of Mr. Clay throughout the United States.

Among the most important public acts passed at the first session of the thirty-second Congress, besides the usual civil, military, and naval appropriations, were the following: An act making appropriations for the improvement of certain harbors and rivers, these appropriations amounting to over two millions of dollars; acts appropriating two millions for the Indian department; one million three hundred and sixty-six thousand dollars for pensions; over seven hundred thousand dollars for light-houses, &c.; and nearly two millions for the transportation of the United States mail by ocean steamers: and a joint resolution appropriating five hundred thousand dollars for the enlargement of the capitol buildings. Acts also passed for the establishment of a branch mint in California; to amend the act for the protection of steamboat passengers; appropriating six thousand dollars for the relief of certain invaders of Cuba pardoned by the queen of Spain; and an act granting the right of way to all rail and plank roads passing through the public lands of the United States.

In the house of representatives, during the discussion on partisan preparations for the presidential election, the following resolution offered by Mr. Jackson, of Georgia, was adopted, on the 5th of April, 1852:—

“Resolved, That we recognise the binding efficacy of the compromises of the constitution; and we believe it to be the determination of the people generally, as we hereby declare it to be ours individually, to abide by such compromises, and to sustain the laws necessary to carry them out—

the provision for the delivery of fugitive slaves, and the act of the last Congress for that purpose, included; and that we deprecate all further agitation of the questions growing out of that act of the last Congress known as the Compromise act, and of questions generally connected with the institution of slavery, as useless and dangerous."

To this resolution Mr. Hillyer, also of Georgia, offered the following as additional:—

"*Resolved*, That the series of acts passed during the first session of the thirty-first Congress, known as compromises, are regarded as a final adjustment and a permanent settlement of the questions therein embraced, and should be maintained and executed as such."

Upon the latter proposition, the vote stood: ayes, one hundred and three; noes, seventy-four. The first resolution was then also adopted, by a vote of one hundred and one to sixty-four—divided as follows:—

YEAS.

Northern Whigs	7	Northern Democrats	35
Southern Whigs	20	Southern Democrats	39
Total	27	Total	74

NAYS.

Northern Whigs	29	Northern Democrats	21
Southern Whigs	1	Southern Democrats	10
Total Whigs	30	Total Democrats	31
Free Soilers	3	Total nays	64

Three commercial treaties were ratified and proclaimed during the year 1852, namely, with the republics of Guatemala, Costa Rica, and Peru. The administration of Mr. Fillmore also projected and sent out a naval expedition to the empire of Japan. The object of the expedition, which was placed under the command of Commodore Perry, was to open a friendly communication with Japan, and, if possible, negotiate with that government a treaty of amity and commerce. The vessels of the expedition sailed at different times, during the year 1852, under instructions to rendezvous in the Chinese seas, and thence to proceed to Japan.

On the approach of the time fixed for the nomination of candidates for president and vice-president, in 1852, it was apparent that, notwithstanding the passage of compromise acts and resolutions in Congress, divisions still existed in the two great political parties of the country on the question of slavery. While democrats of the northern states were generally willing to unite at the coming election, and to consider the question of the extension of slavery as settled, those of the south were divided into what were called "Union men" and "southern-rights men,"—the latter holding the doctrine of the right of a sovereign state to secede from the

Union, whenever the rights of the state were violated by the action of the general government. This southern rights section comprised a large majority of the democratic party in most of the slaveholding states. On the other hand, the great body of the whigs of the south were Union men, and satisfied with the compromise measures adopted by Congress. But, in the northern states generally, the largest portion of the whig party were dissatisfied with some of the compromise measures referred to, although acquiescing in the same, and had on all suitable occasions, through their representatives in Congress and otherwise, opposed the extension of slavery in the territories of the United States. The abolitionists, so called, were a distinct organization on the subject of anti-slavery, and composed of persons drawn from both the democratic and whig parties.

The democratic national convention, for the nomination of candidates for president and vice-president, met at Baltimore on the 1st of June, 1852, and was organized by the appointment of John W. Davis, of Indiana (who was speaker of the house of representatives, in the 29th Congress), as president. The rule of former democratic national conventions, requiring the votes of two thirds of the whole number of delegates, was adopted. On the first ballot, the vote stood as follows: for Lewis Cass, of Michigan, 116; James Buchanan, of Pennsylvania, 93; William L. Marcy, of New York, 27; Stephen A. Douglass, of Illinois, 20; Samuel Houston, of Texas, 8; Joseph Lane, of Indiana, 13; all others, 11: total, 288 votes. No candidate having received the required number of one hundred and ninety-two, the convention continued to vote, without success, until the fourth day of their session. On the thirty-third ballot, General Franklin Pierce, of New Hampshire, for the first time, was voted for in the convention, and then only received the vote of one delegate. On the thirty-fifth ballot he received fifteen votes, which number was increased to fifty-five on the forty-eighth ballot, and on the forty-ninth and final ballot, he received two hundred and eighty-two votes, against six for other candidates. Franklin Pierce was therefore declared nominated by the convention as the democratic candidate for president. On balloting for vice-president, William R. King, of Alabama, received one hundred and twenty-six votes on the first, and two hundred and seventy-seven on the second ballot. He was therefore declared the democratic nominee for vice-president. A series of resolutions was adopted, declaring the views of the democratic party on certain points of national policy, and declaring resistance to "all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made;" and also a determination to "abide by, and adhere to, a faithful execution of the acts known as the compromise measures settled by the last Congress—the act reclaiming fugitives from service or labor included." The convention adjourned on the 5th

June, with confidence on the part of the members, that the renewed union of the democratic party throughout the country would insure success for their nominees over any candidates their political opponents might present to the people for their support.

On the 16th of June, the whig national convention met at Baltimore, and was organized by the appointment of John G. Chapman, of Maryland, as president, and other officers. Two days were occupied in preliminary business, part of which was the investigation of the right to several contested seats from the states of New York and Vermont. This matter being settled, on the third day, a committee consisting of one from each state, selected by the delegation therefrom, was appointed to report a series of resolutions for the action of the convention. The resolutions were reported the same day, and, after some discussion, were adopted by a vote of two hundred and twenty-seven ayes, to sixty-six noes. They set forth, that the government of the United States is one of a limited character, and is confined to the exercise of powers expressly granted by the constitution, all power not granted, or necessarily implied, being expressly reserved to the States respectively and to the people; that the Union should be revered and watched over as the palladium of our liberties; that while struggling freedom everywhere has the warmest sympathy of the whig party, they still adhere to the doctrines of the Father of his country, as announced in his farewell address, of keeping ourselves free from all entangling alliances with foreign countries, and of never quitting our own to stand upon foreign ground; that revenue ought to be raised by duties on imports, and not from direct taxation, and sound policy requires a just discrimination in laying such duties, whereby suitable encouragement may be afforded to American industry; that Congress has power to open and repair harbors, and remove obstructions from navigable rivers, whenever such improvements are necessary for the common defence, and for the protection and facility of commerce with foreign nations or among the States; that the compromise acts of the thirty-first Congress, including the fugitive slave law, are received and acquiesced in by the whig party, as a settlement, in principle and substance, of the dangerous and exciting questions which they embrace; that the whig party will maintain them, and insist upon their strict enforcement, until time and experience shall demonstrate the necessity of further legislation, to guard against their evasion or abuse, not impairing their present efficiency; and that all further agitation of the questions thus settled is deprecated as dangerous to our peace; and all efforts to continue or renew such agitation will be discountenanced.

After adopting these resolutions, the convention proceeded to vote for a candidate for president, and continued to ballot until Monday, the fifth day of the session. There were two hundred and ninety-six electoral votes represented by delegates from the various thirty-one states, making

one hundred and forty-nine essential to a choice. Upon the first ballot, Millard Fillmore (president) received 133, General Winfield Scott 131, and Daniel Webster 29 votes; and this relative proportion was nearly sustained throughout fifty ballotings. The votes for General Scott were principally from the northern or non-slaveholding states, as were those given to Mr. Webster; while Mr. Fillmore received the votes of the Southern or slaveholding states, with a few scattering votes from the north. Of the votes of the New York delegation, Scott received 25, and Fillmore 9. On the fifty-third ballot, General Scott receiving 159 votes, Mr. Fillmore 112, and Mr. Webster 21, the former was declared to have been duly nominated, and that nomination was made unanimous. William A. Graham, of North Carolina, then secretary of the navy, was then, on the second ballot, nominated as the Whig candidate for vice-president. Resolutions were adopted complimentary to Mr. Fillmore and Mr. Webster; after which the convention adjourned. Those who opposed the nomination of General Scott, opposed him, not because he had ever shown himself hostile to the Union or the compromise measures of 1850, but simply because, in the then impending crisis, it was better to adopt a candidate whose soundness could not be by any possibility assailed, than to select one against whom the attacks of their political opponents could be more easily directed. It was known that the principal supporters of the nomination of Scott were among the free-soil whigs, or those who had been most strenuous in opposing the extension of slavery. This rendered him unpopular with the southern whigs as a presidential candidate, and they were anxious for the nomination of President Fillmore, who had approved and sustained the compromise measures in 1850. A letter from General Scott was read before the convention, warmly accepting the resolutions which they had adopted, and this had a tendency to remove the repugnance felt against his nomination, which was finally effected by votes given by delegates from Virginia, Kentucky, and Tennessee, in addition to his previous support in the convention. In reply to a communication from the president of the convention, apprising him of his nomination, General Scott wrote a letter on the 24th of June, declaring that he "accepted it with the resolutions annexed." In the same letter he gave his views of public policy, which proved generally acceptable to the whig party throughout the Union. Mr. Graham also accepted his nomination, with a cordial approval of the declarations made in the resolutions adopted by the convention, and soon after resigned his office as secretary of the navy.

After the adjournment of the whig convention, a letter from President Fillmore, addressed to that body, was published. It was intrusted to the care of Mr. Babcock, the delegate from the Erie (New York) district, in which Mr. Fillmore had resided; and he was authorized to present it, and withdraw Mr. Fillmore's name as a candidate, whenever he should

think it proper to do so. In this letter, Mr. Fillmore refers to the circumstances of embarrassment under which he entered upon the duties of the presidency, and says that he at once determined within himself to decline a re-election, and to make that decision public. From doing so, however, he was at that time, as well as subsequently, dissuaded by the earnest remonstrances of his friends. He expresses the hope that the convention may be able to unite in nominating some one who, if elected, may be more successful than he had been in retaining the confidence of the party. He had endeavored faithfully to discharge his duty to the country; and in the consciousness of having acted from upright motives, and, according to his best judgment, for the public good, he was quite willing to have sacrificed himself for the sake of his country.

Mr. Webster did not cordially acquiesce in the nomination of General Scott, and he hesitated not to express his dissatisfaction at the result of the proceedings of the whig convention. From his own calculation of the position of parties in the convention, and the confidence he entertained of the opinion of sanguine friends with regard to his favorable prospects, added to the nominations he had received in Massachusetts and other New England states, as well as in New York, he was induced to believe that the whig nomination for president would fall on him. Efforts were made to place him in nomination as an independent candidate for the presidency, by public meetings in Boston, and by conventions of the whigs in Georgia, and of the Native American party at Trenton, New Jersey. In July, Mr. Webster visited Massachusetts, and was honored with a public reception at Boston, when the demonstration was large and enthusiastic. The inhabitants of Marshfield, the country residence of Mr. Webster, also gave him a public reception, marked by warm enthusiasm and profound personal respect. His health at that time was feeble, and he retired from the cares of office to his residence at Marshfield; and, soon after, he met with a severe injury in consequence of being thrown from a wagon. His health continued to decline, until, on the 21st of October, his illness was felt to be dangerous; from which time he rapidly sunk, until his death, which occurred on Sunday morning, October 24, 1852. His last hours were irradiated by penitence, prayer, and the consolations of Christian faith and hope. His decease excited feelings of profound regret throughout the Union; and, in all sections of the country, funeral honors and demonstrations of respect were paid to his memory. Mr. Webster was considered by his countrymen, and by the well-informed citizens of other countries, as the greatest man, intellectually, that America has yet produced. In the language of one of his biographers (Professor Felton, of Cambridge, Massachusetts): "If we compare Mr. Webster with the great statesmen of antiquity, we shall find many points in common between him and Cicero and Demosthenes. He had, however, more force and originality than the former, and more varied culture

than the latter. To our apprehension, he more resembled Demosthenes than any other modern orator. The purity of his conduct in the administration of public affairs, the ardor of his patriotism, the splendor of his genius, have been only the more conspicuous the more his life and works have been studied; for every word he ever spoke breathed a single-hearted devotion to the interests and glory of his country. His language was grand, yet simple, rich, solemn; not disdaining ornament, but never seeking it at the sacrifice of sense; sweet and stately, as well as forcible. His arrangement of topics was skilful, but natural; and the array of his arguments, in solid phalanx, was irresistible. It is one of the chiefest glories of republican Athens that her institutions produced such a man; it is a blot on the history of disunited Greece, that she listened to his words, but forgot to act upon his counsels. May the parallel stop short of this crowning circumstance of ruin and disaster!"

A national convention of the free-soil, or anti-slavery party, calling themselves "free democrats," was held at Pittsburgh, on the 11th of August, at which John P. Hale was nominated for president, and George W. Julian, of Indiana, for vice-president, as the candidates of that party. Both of these gentlemen accepted the nomination, and, during a portion of the month of September, Mr. Hale visited different parts of the state of Ohio and addressed the citizens. The National Liberty convention, composed of a portion of the abolitionists or anti-slavery men, met at Syracuse, New York, on the 30th of September, and nominated William Goodell for president, and S. M. Piper for vice-president. In Georgia, the committee appointed by the southern-rights convention made a report nominating George M. Troup, of Georgia, for president, and General Quitman, of Mississippi, for vice-president. The nominations were ratified with enthusiasm. Electors were named, and the convention adjourned, but the candidates did not accept the nomination.

General Scott, having been called to the west on official business connected with the interests of the army, received an enthusiastic welcome along the route. Public receptions were accorded him at various western cities, and in reply to numerous addresses, principally relating to his military services, the general made brief responses. The democratic candidate for president remained at his residence in Concord, New Hampshire, during the political campaign. In reply to the committee of the democratic national convention, appointed to apprise him of his nomination, General Pierce replied in a letter dated at Concord, June 17. Among other things, he said: "The surprise with which I received the intelligence of the nomination was not unmingled with painful solicitude; and yet it is proper for me to say, that the manner in which it was conferred was peculiarly gratifying. I accept the nomination, relying upon an abiding devotion to the interests, the honor, and the glory of our whole country, but, beyond and above all, upon a Power superior to all human

might—a Power which, from the first gun of the Revolution, in every crisis through which we have passed, in every hour of acknowledged peril, when the dark clouds have shut down around us, has interposed as if to baffle human wisdom, outmarch human forecast, and bring out of darkness the rainbow of promise. Weak myself, faith and hope repose there in security.

“I accept the nomination upon the platform adopted by the convention—not because this is expected of me as a candidate, but because the principles it embraces command the approbation of my judgment; and with them, I believe I can safely say, there has been no word nor act of my life in conflict.”

The presidential election took place throughout the Union on Tuesday, the 5th of November, 1852, and resulted in the choice of the democratic candidates, Franklin Pierce, for president, and William R. King for vice-president, each of whom received the electoral votes of twenty-seven states—two hundred and fifty-four in number. The whig candidates, Scott and Graham, received the electoral votes of only four states, viz., those of Vermont, Massachusetts, Kentucky, and Tennessee—forty-two in all. The popular vote given to General Scott was, however, larger than had ever been polled by the whig party, the votes for the Scott and Graham electoral tickets in all the states having been 1,384,577; whereas General Taylor, in 1848, received 1,362,242, and Henry Clay, in 1844, 1,291,643. The popular vote for the democratic candidates, Pierce and King, was 1,587,256, exclusive of South Carolina, where the electors were chosen by the legislature. The free-soil and other electoral tickets nominated, did not receive enough of the popular votes to affect the result of the election. The popular vote for the Hale and Julian electoral tickets was 157,296. In 1848, the same party polled for Van Buren and Adams electors, 291,378; but that vote included many democrats who now supported Pierce and King electors.

On the death of Mr. Webster, President Fillmore appointed Edward Everett secretary of state. Other changes in the cabinet had previously taken place. Judge Conkling, of New York, having been appointed minister to Mexico, resigned his office as judge of the northern district of New York, and Nathan K. Hall, postmaster-general, was appointed in his place. Samuel D. Hubbard, of Connecticut, was appointed postmaster-general, Mr. Hall having resigned. In consequence of his nomination as a candidate for vice-president, William A. Graham resigned as secretary of the navy, and John P. Kennedy, of Maryland, was appointed to succeed him.

The second session of the thirty-second Congress commenced on Monday, the 6th of December, 1852, and its term expired on the 3d of March, 1853. There was not much business of importance transacted at this short session, much of the time of which was spent in debates of a political character, principally relating to the acts of the outgoing admin-

istration, and the return of the democratic party to power, in the advent of the newly-elected president. A bill was passed erecting a new territorial government out of the northern part of Oregon, to be called the territory of Washington; to the general appropriation bill an amendment was added, authorizing the president to employ engineers to make explorations, in order to ascertain the most practicable and economical route for a railroad, and appropriating one hundred and fifty thousand dollars for the expenses of the survey. A great variety of private bills, and many acts of local interest, were passed; but most of the measures of general public importance which were proposed at this session failed of success. On the 20th of December, 1852, William R. King, on account of ill health, resigned as president *pro tem.* of the senate, and David R. Atchison, of Missouri, was elected in his place.

The administration of President Fillmore, which may be regarded as a continuation of that of General Taylor, closed on the 4th of March, 1853. It was in some respects different in its character from that of General Taylor, inasmuch as Mr. Fillmore reorganized his cabinet, composed of men of somewhat different views from their predecessors, and his appointments to office were free from some of the influences which had surrounded Taylor and his cabinet. The adoption of the compromise measures of 1850, and their sanction by Mr. Fillmore and his cabinet on a plan varying from that proposed by General Taylor, had the effect to alienate the feelings of many of the whigs of the north toward the administration of Mr. Fillmore. Although the measures of domestic and foreign policy recommended by him were approved, there was nothing in the character or disposition of Mr. Fillmore to excite enthusiasm in his behalf, and the northern whigs generally were displeased with the attempts to place him in nomination for re-election, when public opinion in the whig states had been attracted toward General Scott, as an available presidential candidate, in consequence of his brilliant campaigns in Mexico, and his previous military services. The coldness shown by the president and some of his friends toward Kossuth, and other distinguished European exiles, had the effect to alienate the citizens of foreign birth from the whig party, and to accelerate their defeat.

Placed in the minority with regard to its influence in Congress, the administration of Mr. Fillmore was necessarily negative in its character, with the exception of the passage of the compromise measures relative to slavery, and the boundaries on the Mexican frontier and between Texas and the adjacent territories, and the partial restoration of a system of improvement of harbors and rivers, bills for which had been vetoed by democratic presidents. But the intentions and actions of Mr. Fillmore were regarded as honest and statesmanlike, by men of both the leading parties; and during his administration of the government, the country advanced in prosperity and strength, and he retired to private life honored and respected by his countrymen.



engraved by J. M. H. H.

Frank Pierce

BIOGRAPHICAL SKETCH

OF

FRANKLIN PIERCE.

DURING the period of the war between the United States and Great Britain, which was declared in 1812 and terminated in 1815, there were in existence, engaged in various occupations and far distant from each other, ten Americans, who were afterward elevated to the presidency of the republic. It is curious to take a retrospective view of the positions in life then occupied by these individuals, of whom, perhaps, only the first two could, at that time, have entertained any reasonable hopes or expectations of reaching the high station to which they were afterward called. James Monroe was then at the head of the department of state at Washington; John Quincy Adams was minister-plenipotentiary to the imperial court of Russia at St. Petersburg; Jackson a planter of Tennessee, but soon called into the military service of the United States; Van Buren, a resident of Columbia county, New York, had just entered public life as a state senator; Harrison, governor of the territory of Indiana, and a distinguished commander in the army of the northwest; Tyler, a lawyer of Virginia, and member of the legislature of that state; Polk engaged in his studies in Tennessee, and afterward at the university of North Carolina; Taylor, a young officer in the army, actively engaged in the public service in the western wilderness; Fillmore, a youth, at school in western New York; and lastly, Pierce, still younger in years, commencing an academical education in New Hampshire.

FRANKLIN PIERCE, the fourteenth president of the United States—on whose accession to that high office, only three of his predecessors survived (*viz.*, Van Buren, Tyler, and Fillmore)—was born at Hillsborough, in the county of the same name, and state of New Hampshire, on the 23d of November, 1804. At that time, the county of Hillsborough was a much more extensive territory than subsequently, when parts of other counties were made up from it, and might reckon among its sons many men memorable in the annals of the country, among whom may be named

General Stark, the hero of Bennington; Daniel Webster, Levi Woodbury; Jeremiah Smith, the eminent jurist and governor; General James Miller, General M'Neil, and Senator Charles G. Atherton.

The family of Pierce is of English origin, and they were among the earliest emigrants to New England. General Benjamin Pierce, the father of Franklin, was one of the early settlers in the town of Hillsborough, and contributed largely to the growth and prosperity of the town and county. He was born in 1757, at Chelmsford, near Lowell, Massachusetts. On the death of his parents, Benjamin Pierce grew up under the care of an uncle, amid such circumstances of simple fare, hard labor, and scanty education, as were the common lot of the family of a New England farmer in those times. In his eighteenth year he left the plough for the battle-scenes of Lexington and Concord, in April, 1775. From that time he never saw his native place for more than seven years. He enlisted in the army, was present at the battle of Bunker hill, and after serving through the whole revolutionary war, and fighting his way upward from the lowest grade, returned at last, a thorough soldier and commander of a company. He was retained in the army as long as that body of veterans had a united existence; and being finally disbanded at West Point, in 1784, was left with no other reward, for nine years of toil and danger, than the nominal amount of his pay in the continental currency, then so depreciated as to be almost worthless. In 1785, being employed as agent to explore a tract of wild land in New Hampshire, he purchased a lot of fifty acres in what is now the town of Hillsborough. In the spring of the succeeding year, he built himself a log hut, and began the clearing and cultivation of his tract. In 1777, he married his first wife, Elizabeth Andrews, who died within a year after their union, leaving a daughter, the present widow of General John M'Neil. In 1789, he married Anna Kendrick, with whom he lived about half a century, and who bore him eight children, of whom Franklin was the sixth.*

While gaining his livelihood in the wilderness, Benjamin Pierce was prominent among his fellow-citizens, particularly in military affairs. When the militia of Hillsborough county was first organized, he was appointed brigade-major; and, during the presidency of John Adams, he was offered a high command in the army raised in anticipation of a war with the French republic. Pierce being a democratic republican, and opposed to the administration of Adams and its measures, declined the office, although he acknowledged that the pay would, under other circumstances, be an object to him in his poverty. The same principles marked every public, as well as private act of his life. In his own neighborhood, among those who knew him best, he early gained an influence that continued to increase during the whole of his long life. In

* We are indebted to Hawthorne's *Authentic Life of Franklin Pierce* for part of the facts in this sketch.

1789, he was elected to the state legislature, and retained that position for twelve successive years, until chosen a member of the council. During the same period, he was active in his military duties as a field-officer, and finally general, of the militia of the county; and Miller, McNeil, and others, learned of him, in this capacity, the soldier-like discipline which was afterward displayed on the battle-fields of the northern frontier.

After serving as a member of the governor's council six years, Benjamin Pierce was appointed sheriff of Hillsborough county in 1809, and held the office four years. In subsequent years he occasionally served in the same stations. He was a man of the most humane disposition, and was constantly occupied in plans and acts of benevolence. In 1818, when he was sheriff of Hillsborough, there was considerable excitement in reference to the oppressive laws respecting imprisonment for debt. At that time there were in the jail at Amherst, New Hampshire, three aged prisoners confined for debt, one of whom had been then four years in close custody. One of the first acts of Pierce, on his restoration to the office he had formerly held, was to appoint a day for the release of these prisoners. The people thought the occasion worthy of a public meeting; and on the 20th of November, 1818, they assembled in front of the prison, when Sheriff Pierce, after having opened the doors of the dungeon, addressed his "unfortunate fellow-citizens" in the eloquent accents of humanity, and bade them go forth. He said: "The feelings excited by a view of your situation are inexpressible. That those heads, silvered by age and hardship, and those hearts, throbbing with kindly emotions, should be held for this long period of time by their fellow-citizens, without the imputation of a crime, in a captivity unparalleled even in the annals of the French Bastile, or Algerine slavery, always viewed by us with sentiments of inexpressible horror, is more than my nature is able to endure. To be immured in a dungeon, standing on the very soil of liberty, and in the midst of men boasting its high privileges, is, in my mind, with which the ideas and the value of freedom are closely interwoven, infinitely worse than to be enslaved in a foreign land by enemies and barbarians, from whom nothing better could be expected. But, as an officer of the county, I have a duty to perform. I must either be governed by the law, and suffer you still to remain, the devoted victims of unavoidable misfortune and honest poverty, shut out from the genial light of heaven and the vital air, God's equal gift to all—to endure, perhaps perish under, the privations incident to your situation,—or I must be directed by the powerful impulse of humanity, pay the debt myself, and bid you leave this dreary and gloomy abode. My unfortunate fellow-citizens, my duty to myself will not suffer longer to remain here an old companion-in-arms, who fought for the liberty of which he is deprived, for no crime but that of being poor. My duty to my country, whose honor is deeply implicated by your sufferings—and it is one of my first wishes that it should be

untarnished—and my duty to my God, who has put into my power to relieve, irresistibly urge me to the latter course. This, I am sensible, takes from me a large sum of money, however the liberal and generous people among whom it is my happy lot to reside may participate. If not, none but my children will have any right to reproach me; and I am confident they will do no more than say their father was generous to a fault. In this view, go; receive the uncontaminated air, which is diffused abroad for the comfort of man; go to your families and friends, if you have any. Be correct in your habits. Be industrious: and if your tottering and emaciated frames are so far exhausted as to prevent your getting a comfortable support, apply to the good people for relief; and may the best of Heaven's blessings accompany you the remainder of your days."

This act was justly regarded as one of the noblest ever performed by a public man, particularly in the state of public opinion existing at that time and for years afterward, which tolerated the inhuman custom of incarceration for debt—a custom transmitted from a barbarous age, and under the operation of which so many innocent persons have suffered, for no other fault than misfortune. In this country, the poor and decayed veteran of the Revolution, whose best years had been spent in the service of his country, was often confined with felons, and years rolled on, leaving him in hopeless imprisonment. But no age, no condition or sex, was exempt from the operation of laws disgraceful to the times in which they were enacted and executed, and to the people who tolerated their existence. The generous act of Benjamin Pierce had the force of a powerful example, and erected for him an enduring monument in the hearts of the generous and enlightened lovers of humanity.

The history, character, and circumstances of General Benjamin Pierce, though here but briefly sketched, are essential parts of the biography of his son, both as indicating some of the traits which the latter has inherited, and as showing the influences amid which he grew up. At Franklin Pierce's birth, and for many years subsequent, his father was the most active and public-spirited man within his sphere; a most decided democratic republican, and of course a supporter of Jefferson and Madison; a practical farmer, moreover—not rich, but independent—exercising a liberal hospitality, and noted for the kindness and generosity of his character; a man of the people, but whose natural qualities inevitably made him a leader among them. From infancy upward, the boy had before his eyes, as the model on which he might instinctively form himself, one of the best specimens of New England character, developed in a life of simple habits, yet of elevated action; patriotism, such as it had been in revolutionary days, was taught him by his father, as early as his mother taught him religion. He became early imbued, too, with the military spirit which the old soldier had retained from his long service,

and which was kept active by the constant alarms and warlike preparations of the first twelve years of the present century. If any man is found, by birth and youthful training, to show himself a brave, faithful, and able citizen of his native country, it is the son of such a father.*

The services of General Sullivan, who was a resident of the state after the American Revolution, were of great value to the militia of New Hampshire; and under his auspices the brigade of Hillsborough county were organized, Benjamin Pierce at first holding the office of brigade-major, as we have stated, and finally rising to that of brigadier-general. At the commencement of the war of 1812, Franklin Pierce was a few months under eight years of age. The old general, his father, sent two of his sons into the army; and, as his eldest daughter was soon afterward married to Major M'Neil, there were few families that had so large a personal stake in the war as that of General Benjamin Pierce. He himself, both in his public capacity as a member of the council, and by his great local influence in his own county, lent a strenuous support to the national administration of Madison. He identified himself with the cause of the country, and not only took a prominent part at all public meetings of the republican or democratic party, but was ever ready for the informal discussion of political affairs at all places of casual resort, where, in accordance with the custom of the time and country, the minds of men were made to operate effectually upon each other. Franklin Pierce was a frequent auditor of these controversies, and listened with interest to the arguments of his father. No mode of education could be conceived better adapted to imbue a youth with the principles and sentiment of democratic institutions; it brought him into the most familiar contact with the popular mind, and made his own mind a part of it.

In 1827, Benjamin Pierce was elected governor of New Hampshire; in 1828 he was a candidate for re-election, but, having taken part in favor of the election of General Jackson to the presidency of the United States, he was defeated, in consequence of the friends of John Quincy Adams being at that time in a majority in New Hampshire. Governor Pierce was, however, re-elected the following year, on the change of the political majorities in the state. After his second term of office had expired, he lived in retirement. He died April 1, 1839, at the advanced age of eighty-one years. The sons of Benjamin Pierce, in the order of their ages, were, Benjamin U., J. Sullivan, Charles S., Franklin, and Henry D. Pierce. Sullivan and Charles died young; Benjamin U., the eldest, was an officer in the army, and rose to the rank of brevet-colonel; he was a brave and accomplished officer and gentleman, and died in 1850. The youngest brother of Franklin Pierce is an intelligent agriculturist, and has several times been elected to the legislature of his native state. The second wife of Governor Pierce, whose maiden-name was Anna

* Hawthorne.

Kendrick, died two months before her husband. One of her daughters died young, and the remaining two became accomplished women. The eldest married General Solomon M'Neil, of New Hampshire; the youngest became the wife of Hugh Lawrence, Esq., of Boston. They both died in the year 1837, leaving families. The only surviving sister of the president is the widow of General John M'Neil, and the daughter of Governor Benjamin Pierce by Elizabeth Andrews, his first wife.*

The father of Franklin Pierce had felt, through life, the disadvantages of a defective education; and he determined to afford his son all the opportunities of improvement which he himself had wanted. Franklin, accordingly, was sent to the academy in the neighboring town of Hancock, and afterward to that of Francestown, where he was received into the family of Peter Woodbury, father of the late Judge Levi Woodbury. The mother of the judge was a lady of superior mind and attractions, and over Pierce she had a most beneficial influence, as he often afterward acknowledged. In 1820, at the age of sixteen, he became a student of Bowdoin college, at Brunswick, Maine. Pierce's class was small, but composed of individuals, for the most part, well advanced toward maturity, and, having wrought out their own means of education, were little inclined to neglect their opportunities. Their first scholar, the present Professor Stowe, has long since established his rank among the first scholars of the country. It could have been no easy task to hold a successful rivalry with students so much in earnest as were his classmates. During the earlier part of his college course, it may be doubted whether Pierce was distinguished for scholarship. But, for the last two years, he appeared to grow more intent on the business in hand, and, without losing any of his vivacious qualities as a companion, was resolved to gain an honorable elevation in his class. His habits of attention and obedience to college-discipline were of the strictest character; he rose progressively in scholarship, and took a highly creditable degree.†

In the class below Pierce were Jonathan Cilley, afterward a member of Congress from Maine, and who fell in a duel in 1838; Nathaniel Hawthorne, now one of the most accomplished of American prose-writers; and others who have risen to distinction in literature, the learned professions, and politics. One of his classmates was Zenas Caldwell, of Maine, brother of the late Professor Meritt Caldwell, of Dickinson college. He was several years older than Pierce, and died the year after leaving college. He was a member of the methodist persuasion; a pure-minded, studious, devoutly religious character; endowed with the authority of a grave and sagacious turn of mind. The friendship between Pierce and him was strong, and was of itself (says Hawthorne) a pledge of correct deportment in the former. Under Caldwell's influence, Pierce became deeply impressed with the truths of religion, and sympathized

* Bartlett's Life of Pierce.

† Hawthorne.

with the methodists. When his collegiate course was about half finished, young Caldwell persuaded him to accompany him to his home, in Hebron, Maine. It was in the winter, and the common district-school in Hebron was without a teacher, and the brothers Caldwell influenced him to assume the dignities of a teacher's life. He received fourteen dollars per month for his services, at that time and place reckoned very high wages. After three months within the walls of a country-schoolhouse, Pierce bade them farewell, that he might again pursue his collegiate course.*

After graduating, in 1824, Pierce left Bowdoin college, and returned to his father's house at Hillsborough. Having chosen the law as a profession, so generally considered as the readiest path to distinction and fortune in the United States, he became a student in the office of Judge Woodbury, of Portsmouth. This was at a time when the judge had been elected governor, and, failing of a re-election, had returned to the profession of the law. The last two years of Pierce's preparatory studies were spent at the law-school of Northampton, in Massachusetts, and in the office of Judge Parker, at Amherst, New Hampshire. In 1827, being admitted to the bar, he commenced the practice of his profession at Hillsborough, and the influence which his father possessed gave him a respectable share of business. His distinction at the bar, however, did not immediately follow, nor did he acquire positive eminence in the profession until some years after this period. The enticements of political life—so especially fascinating to a young lawyer, but so irregular in its tendencies, and so inimical to steady professional labor—had begun to operate upon him. His father's prominent political position made it almost impossible that the son should stand aloof. In 1828, the contest for the presidency was fought with a fervor that drew almost everybody into it, and had terminated in the triumph of Andrew Jackson. Franklin Pierce, in advance of his father's decision, though not in opposition to it, had declared himself for Jackson, in preference to Adams for the presidency.†

The town of Hillsborough, in 1829, gave Pierce his first public honor, by electing him, at twenty-five years of age, its representative in the legislature of the state. His whole service in that body comprised four years, in the two latter of which he was chosen speaker of the house. He had all the natural gifts that adapted him for the post—courtesy, firmness, quickness, and accuracy of judgment, and a clearness of mental perception that brought its own regularity into the scene of confused and entangled debate; and to these qualities he added whatever was to be attained by laborious study of parliamentary rules. His merit as a presiding officer was universally acknowledged. It is rare that a man combines so much impulse with so great power of regulating the impulses of

* Bartlett.

† Hawthorne.

himself and others, as Pierce. The faculty here exercised and improved, of controlling an assembly while agitated by tumultuous controversy, was afterward called into play upon a higher field; for, during his Congressional service, Pierce was often summoned to preside in committee of the whole, when a turbulent debate was expected to demand peculiar energy in the chair.*

In 1833, Mr. Pierce was nominated on the Jackson democratic ticket for Congress, and elected one of the five members to which New Hampshire was then entitled in the house of representatives. The members of Congress were at that time, as they had been for many years previous, chosen by general ticket in that state, and of course the delegation were generally all of the same political party. In December, 1833, Pierce, at the age of twenty-nine, took his seat in Congress. His Congressional life, though it made comparatively but little show, was full of labor directed to substantial subjects. He was a member of the judiciary and other important committees; and the drudgery of the committee-room, where so much of the real public business of the country is transacted, fell in large measure to his lot. Thus, even as a legislator, he may be said to have been a man of deeds, not words; and when he spoke upon any subject with which his duty, as chairman or member of a committee, had brought him in relation, his words had the weight of deeds, from the meaning, the directness, and the truth, that he conveyed into them. His intercourse with President Jackson, who was then in his second term of office, was frequent and free, and marked by friendly regard on the part of the latter. The friends of Jackson were in the majority in the house of representatives, and Pierce ranked among the most ardent of the supporters of his administration.

The first speech, of any importance, made by Mr. Pierce in the house of representatives, was delivered February 27, 1834, and was upon the subject of revolutionary claims. It was not marked by any display of attractive eloquence, and was on the unpopular side of the question; for he did not hesitate to express his opposition to the bill, on account of its objectionable features, as he regarded them. "For the committee making the report in favor of the claims (Mr. Pierce said, in concluding his speech) he entertained the highest respect; and he believed that he was no less disposed than they were to grant, to the uttermost farthing, all that was due to Revolutionary officers or their heirs. But, pass this bill, and you will do great injustice to the country: you will make a most exhausting draught upon your treasury, to answer, it may be, some equitable claims, that may as well be liquidated without it; and you will, it is morally certain, be compelled, under it, to acknowledge a vast number which have no foundation in justice—no foundation anywhere, except in lost records and violent presumptions."

* Hawthorne.

This speech shows the desire of Mr. Pierce to oppose all extravagance in the public expenditures. Through all his speeches there runs the same vein of economy. Though personally liberal, he has always opposed extravagance in public affairs. He was diligent in his Congressional duties; and when any important vote was taken, the name of Pierce, of New Hampshire, is invariably to be found on the records of Congress. Every speech delivered by him, either in the house of representatives, or afterward in the senate, during his congressional career, is of a practical nature; and few or none of the debaters in Congress, of his time, were less addicted to making speeches for political effect at home than Pierce. The popularity he enjoyed in New Hampshire, and the predominance of the democratic party there, rendered unnecessary the usual resorts to keep up a reputation with his constituents, and he preferred practical usefulness to frequent display of his oratorical powers.

He continued in the house of representatives four years, having been re-elected in 1835. It must have been a time of vast intellectual advantage to himself, while his course was unobtrusive. Amid great national affairs, he was acquiring the best of all educations for future eminence. In the midst of statesmen, he grew to be a statesman. Studious, as all his speeches prove him to be, of history, he beheld it demonstrating itself before his eyes. And it was another advantage of his being brought early into the sphere of national interests, and continuing there for a series of years, that it enabled him to overcome any narrow and sectional prejudices. Without loving New England less, he loved the broad area of the country more. He thus retained that equal sentiment of patriotism for the whole land with which his father had imbued him, and which is, perhaps, apt to be impaired in the hearts of those who come late to the national legislature, after long training in the narrower fields of the separate states. His sense of the value of the Union, which had been taught him at the fireside, from earliest infancy, by the stories of patriotic valor that he there heard, was now strengthened by friendly association with its representatives from every quarter.*

During his second term as a member of the house of representatives, Mr. Pierce spoke on the question of the deposite of the public funds in state banks, defending the course of the secretary of the treasury, Mr. Woodbury, against the charge of favoritism in the selection of deposite banks. He also delivered a forcible speech against the bill authorizing appropriations for the military academy at West Point. He was decidedly opposed to that institution, as then and at present organized. Some eleven years afterward, while engaged in the military service in Mexico, he acknowledged himself in the wrong, and bore testimony to the brilliant services which the graduates of the academy, trained to soldiership from boyhood, had rendered to their country.

* Hawthorne.

It was while he was a member of the House, that Pierce took that stand on the slavery question which he uniformly followed in Congress. He fully recognised, by his votes and by his voice, the rights pledged to the south by the constitution. He voted to sustain the right of petition, when that simple question was presented in 1837; but he was invariably opposed to all agitation upon the subject, and gave his votes to that end. In May, 1836, he voted in favor of resolutions, reported by a select committee, of which he was a member, declaring that Congress has no constitutional authority to interfere with the institution of slavery in any of the states; that Congress ought not to interfere in any way with slavery in the District of Columbia; and that all petitions, resolutions, propositions, or papers, relating to slavery should, without being printed or referred, be laid upon the table, without further action thereon.

In 1837, Mr. Pierce was elected, by a large majority of the legislature of New Hampshire, to the senate of the United States, for a full term of six years, to succeed Isaac Hill, who had been elected governor of the state.* He took his seat at the commencement of the presidency of Mr. Van Buren. At that time the senate presented an array of veteran and eminent statesmen. Webster, Clay, Calhoun, Benton, Silas Wright, Buchanan, and others, before and since distinguished in the councils of the country, were members. The colleague of Pierce was Henry Hubbard. To this dignified body Pierce came as the youngest member of the senate. With his usual tact and sense of propriety, he saw that it was not the time for him to step forward prominently on this highest theatre in the land. There was hardly an avenue to reputation save what was occupied by the leading men of the senate. Modes of public service remained, however, requiring high ability, but with which few men of competent endowment would have been content to occupy themselves. In the more elevated field of the senate, Pierce pursued the same course as while a representative, and with more than equal results. Among other committees, he was a member of that upon revolutionary pensions. Of this subject he made himself thoroughly master, and was recognised by the senate as an unquestionable authority. In 1840, in reference to several bills for the relief of claimants under the pension law, he delivered a speech which illustrates as well the sympathies as the justice of the man—showing how vividly he could feel, and, at the same time, how powerless were his feelings to turn him aside from what he considered the strict line of public integrity. The merits and sacrifices of the men and women of the Revolution he stated in strong terms: but, while expressing his heartfelt recognition of the debt of gratitude due to them, the senator, as on a former occasion while he was a member of the house of representatives, entered into an analysis of the claims presented, and

* John Page, appointed by the governor, served for one session, on the resignation of Mr. Hill.

declared them to be void of justice. The mere pecuniary amount saved to the nation by his scrutiny into affairs of this kind, though great, was but a minor consideration. The danger lay, he thought, in establishing a corrupt system, and placing a wrong precedent upon the statute-book. Instances might be adduced, on the other hand, which show him not less scrupulous of the just rights of claimants than careful of the public interests.

Another subject upon which he came forward was the military, and the natural defences of the country. The records of debates and proceedings in Congress show that Pierce, as a senator, was laborious and untiring in the discharge of his duties; reports of committees, brief remarks, and here and there a longer speech, evincing a thorough knowledge of the subject. Not having been written out by himself, however, these speeches, as reported, are no fair specimens of his oratory, except as regards the train of argument and substantial thought; and, adhering very closely to the business in hand, they seldom present passages that could be quoted, without doing injustice to their author. Like the men of the Revolutionary Congress, he speaks with the earnestness of honest conviction, and out of the fervor of his heart, and because the occasion and the deep sense of it constrain him.*

On the 9th of January, 1840, Senator Pierce delivered an able speech in defence of Mr. Van Buren's administration in conducting the war in Florida against the Seminole Indians, under the auspices of Mr. Poinsett, secretary of war. In the course of this speech, he said:—

“The secretary of war had tested the inefficiency of mounted men; they could not operate in that country: the enormous expense of the militia had been abundantly demonstrated, and the total failure of the whole was painfully obvious. Under these circumstances, what were the duties of the head of the department? This is a question which I shall answer only by stating, further, what was his action, and leave the country, to judge of its propriety. When General Jesup was permitted to return to his appropriate staff duties in Washington city, all the troops which could be spared from our exposed and unsettled frontiers in other quarters were left in the territory, under the command of that vigilant, energetic, and able officer, General Taylor: In prosecuting any campaign, it is well known that much must, of necessity, be left to the judgment and military genius of the commander, to be exercised on the spot. In October, 1838, the secretary gave General Taylor general instructions as to the manner in which the succeeding campaign should be conducted. In those instructions, the protection of Middle Florida against the incursions of the Seminoles was made the first object. To attain this, the establishment of an interior and exterior line of posts, to extend across the peninsula from the gulf to the ocean, was recommended. These and

* Hawthorne.

various other suggestions of the secretary formed the basis of General Taylor's instructions for that campaign. Unfortunately, the great and first object of the secretary was not secured. In the meantime, the wisdom of Congress interposed. Military operations were suspended, and negotiations substituted in their place, against the known and expressed opinions of the secretary. The result of the negotiation is written in blood. The obligations of the treaty were not regarded for a moment; they were not intended to be observed on the part of the Indians at the time of its execution, as is proved by the burnings, robberies, and murders, that immediately followed—some of them near the oldest town within the limits of the United States (St. Augustine).

"I believe, with all the difficulties of the case, the secretary has made the best of the means in his power. In considering the measure now proposed, it is material to remember not only the failure of the large armies, with the immense expense incurred, and the disastrous termination of every attempt at negotiation, but also to bear in mind the very important fact that there is no war in the territory, and has been none for a long time, in the proper acceptance of the term. There has been no fighting for more than two years. The Indian force now remaining does not, probably, exceed from three to five hundred men, scattered in small bands over this extended area. That they should be expelled as soon as practicable, by all reasonable means, is universally conceded; but the secretary who would sanction a recommendation to saddle this country with the expenses of an army of twenty, fifteen, or ten thousand men, as has been suggested, to *hunt* these three hundred savages, would not only find little support for his recommendation here, but less before the people, who are wisely and justly jealous of large standing armies. To expel the last vestige of these banditti, and to give peace and security to the whole of that peninsula, must be the work of time. In the meanwhile, the settler in his home, and the shipwrecked mariner upon the coast, must find protection in our arms, and feel that there is security from Indian barbarity. To attain these objects, the instructions already given for the disposition and employment of the force now in Florida, and the means we are considering, are well adapted, and, in my judgment, sanctioned by sound policy, drawn from past experience and present knowledge. By the exertions of General Taylor's force now actively employed, as I notice by a letter of the 11th December, 1839, the settled portions of the territory will soon be relieved from every individual of this murderous race.

"The senator from South Carolina (Mr. Preston), to show what may be done with a competent force in Florida, called the attention of the senate to the expulsion of the formidable banditti from Italy, by the energetic measures of Napoleon; but the gentleman should recollect that the arms of the conqueror, which could easily and effectually beat up the narrow Pontine marshes, could have done nothing in the unexplored

impenetrable hammocks and deep morasses of our broad peninsula. I might ask the senator, what was the success of the French army in their own district, La Vendée? Were they equally triumphant there? No, sir. Notwithstanding that peculiar country, of yet more peculiar people, presented a most terrible and sanguinary theatre of war, literally covered with fire and blood, they rose, as it were, from every conquered field with new energy and fresh power of resistance. It became merely a war of devastation. 'And yet we are informed that the Vendéans resisted this kind of warfare in a manner to render it everlasting. Now, sir, where was the secret spring of power, on the part of these people, to resist this vastly superior numerical force? It was in the country—in its configuration—and in their skill and courage to profit by it.

"Look at the interesting country of Circassia, the fervid patriotism and wild gallantry of whose people are now attracting the attention and wonder of the world. It presents, at this moment, the astonishing spectacle of a free population which has preserved its independence and its individuality in an almost barbarous state, though surrounded by more civilized nations. Russia has exerted its enormous military power to reduce these tribes inhabiting the borders of the Black sea, and the strong defiles and fastnesses of the Caucasian mountains, without ever gaining any considerable advantage.

"I make these references in reply to the senator from South Carolina, remarking, at the same time, that I place no reliance whatever upon the historical authorities introduced in the course of this debate, either for or against this bill. The cases are not parallel. If you will determine what a given force can accomplish, you must take into the calculation the circumstances by which they are to be surrounded, and the obstacles they are to encounter, the topography of the country in which they are to operate, its climate and productions, and the character of the enemy to be subdued. In all these particulars, Florida stands by itself; and a large force having proved unavailing, I am disposed to try a smaller one, to be raised expressly for this service, and the armed settlers."

This speech is interesting, as showing the powers of argument possessed by Mr. Pierce, and the bent of his mind and observation on military affairs—the same disposition which he afterward exemplified in his volunteer services in Mexico.

By the defeat of Mr. Van Buren, in the presidential election of 1840, the administration of the government was transferred to the whigs, which party had also elected a majority of both houses of Congress. An extra session of Congress, summoned by President Harrison a few days before his death, assembled on the 31st May, 1841. At this extra session, it was the purpose of the whig party, under the leadership of Henry Clay, to overthrow the prominent financial measures which the administrations of Jackson and Van Buren had established, and enact their own favorite

measures of policy instead. It was a dark period for the democratic party, so long unaccustomed to defeat, and now beholding the prospect of their long contested and established policy apparently about to be swept away. Mr. Nicholson, of Tennessee, remarks: "The power of an organized minority was never more clearly exhibited than in this contest. The democratic senators acted in strict concert, meeting night after night for consultation. In these consultations, no man's voice was heard with more profound respect than that of Franklin Pierce. His counsels were characterized by so thorough a knowledge of human nature, by so much solid common-sense, by such devotion to democratic principles, that, although among the youngest of the senators, it was deemed important that all their conclusions should be submitted to his sanction. When he rose in the senate or in the committee-room, he was heard with the profoundest attention; and he was greeted by the veteran democrats as one of the ablest champions of the party. His speeches during this session will compare with those of any other senator. If it be asked why he did not receive higher distinction, I answer, that such men as Calhoun, Wright, Buchanan, and Woodbury, were the acknowledged leaders of the democracy. The eyes of the nation were on them. The hopes of their party were reposed in them. The brightness of these luminaries was too great to allow the brilliancy of so young a man to attract especial attention."

In the course of this session, Pierce made an eloquent speech in favor of Mr. Buchanan's resolution, calling upon President Tyler to furnish the names of persons removed from office since the accession of the whigs to power, in March, 1841. He said he did not complain that removals had occurred, but he did complain of the hypocrisy of the whig party. "Democratic administrations have turned out political opponents to give place to political friends, and on the single ground that they had the right to prefer their friends to their opponents; but we know that a majority of the subordinate officers in the executive departments at Washington have, during the last twelve years, been opposed to General Jackson's and Mr. Van Buren's administrations. They were faithful and competent officers, I believe; at all events, they were not reached by the spirit of proscription. But whatever was done by the late administration was not done under false pretences. We put forth no canting, hypocritical circulars; we stood before the nation and the world on the naked, unqualified ground that we preferred our friends to our opponents; that to confer place was our privilege, which we *chose* to exercise. I ought not to say we *chose*, sir; for I will say, what those friends best acquainted with me know, that there was nothing in the administration of General Jackson which I so uniformly failed to justify as the removal of one worthy officer to give place to another.

"The senator from North Carolina, in the course of his remarks the

other day, asked: 'Do gentlemen expect that their friends are to be retained in office against the will of the nation? Are they so unreasonable as to expect what the circumstances and the necessity of the case forbid?' What our expectations were, is not the question now; but what were your pledges and promises before the people. On a previous occasion, the distinguished senator from Kentucky (Mr. Clay) made a similar remark: 'An ungracious task, but the nation demands it.' Sir, this demand of the nation—this plea of '*state necessity*,' let me tell gentlemen—is as old as the history of wrong and oppression. It has been the standing plea, the never-failing resort of despotism.

"The great Julius found it convenient, when he restored the *dignity* of the Roman senate, but destroyed its independence. It gave countenance to, and justified, all the atrocities of the inquisition in Spain. It forced out the stifled groans that issued from the Black Hole of Calcutta. It was written in tears upon the Bridge of Sighs in Venice, and pointed to those dark recesses upon whose gloomy thresholds there was never seen a returning footprint.

"It was the plea of the austere and ambitious Strafford, in the days of Charles I. It filled the Bastille of France, and lent its sanction to the terrible atrocities perpetrated there. It was this plea that hurried thousands equally unoffending and innocent to the guillotine. It was upon this plea that the greatest of generals—I mean him, the presence of whose very ashes, within the last few months, sufficed to stir the hearts of a continent—it was upon this plea that he abjured the noble wife who had thrown light and gladness around his humbler days, and, by her own lofty energies and high intellect, had encouraged his aspirations. It was upon this plea that he committed that worst and most fatal act of his eventful life. Upon this, too, he drew around his person the imperial purple. It has in all times, and in every age, been the foe of liberty, and the indispensable stay of usurpation.

"When were the chains of despotism ever thrown around the freedom of speech and of the press, but upon this plea of *STATE NECESSITY*? Let the spirit of Charles X. and of his ministers answer.

"It is cold, selfish, heartless, and has always been regardless of age, sex, condition, services, or any of the incidents of life that appeal to patriotism or humanity. It has afflicted the feeble and dependent wife, for the imaginary faults of her husband. It has stricken down innocence in its beauty, youth in its freshness, manhood in its vigor, and age in its feebleness and decrepitude. Whatever other plea or apology may be set up for the sweeping, ruthless exercise of this civil guillotine at the present day, in the name of *LIBERTY* let us be spared this fearful one of *STATE NECESSITY*, in this early age of the republic, upon the floor of the American senate, in the face of a people yet free."

In June, 1842, Mr. Pierce resigned his seat in the United States sen-

ate, and retired to private life. He was then only in the thirty-eighth year of his age, and his political prospects had never been brighter at any period of his political career. He could reasonably hope for promotion, yet he calmly resigned his exalted office, and retired with his wife to the shades of Concord, on the banks of the romantic Merrimack. He appeared to be cured of ambition, as, one after another, its objects came to him unsought. His domestic position, likewise, had contributed to direct his tastes and wishes toward the pursuits of private life. In 1834 he had married Jane Means Appleton, a daughter of the Rev. Dr. Appleton, a former president of Bowdoin college. Three sons had been born to him: and, having hitherto been kept poor by his public service, he no doubt became sensible of the expediency of making some provision for the future. Such, it may be presumed, were the considerations that induced his resignation as senator, to the regret of his senatorial associates.

Mr. Pierce had removed from Hillsborough in 1835, and taken up his residence at Concord, the capital of New Hampshire. On his retirement from the senate in 1842, he devoted himself exclusively to his profession, which had been so long interrupted by his necessary absence at Washington, and soon came into a practice worth four or five thousand dollars per annum. The fact of his income is sufficient proof that his talents were held in high esteem by the people of his native state. For three successive years he had little apparent connection with politics, although he was considered the most influential man with his party in the state. In October, 1845, he was offered by Governor Steele the appointment of United States senator, in place of Levi Woodbury, who had resigned in consequence of being appointed a judge of the United States supreme court. This offer Mr. Pierce acknowledged with gratitude, in a letter to the governor, but declined the acceptance of the honor. "My personal wishes and purposes," he remarked, "in 1842, when I resigned a seat in the senate, were, as I supposed, so perfectly understood, that I have not for a moment contemplated a return to public life. Without adverting to other grounds, my business, professional and otherwise, is such that it would be impossible for me to leave the state suddenly, and be absent for months, without sacrificing the interests of those who rely upon my services."

About this time, the president of the United States, John Tyler, offered Mr. Pierce the office of district attorney of New Hampshire, which he accepted, as the duties which belonged properly to it came in the line of his profession. He continued in this office until 1847. A state convention of the democratic party in 1845 nominated him for governor of New Hampshire, but he declined this honor. It was at his option also, in 1846, to accept the highest legal position in the country, setting aside the bench, and the one which, undoubtedly, would most have gratified his professional aspiration. President Polk, with whom he had been asso-

ciated in Congress, now offered him the office of attorney-general of the United States, which had become vacant by the transfer of John Y. Mason to the navy department, on the appointment of Mr. Bancroft as minister to Great Britain. "In tendering to you this position in my cabinet," writes the president, "I have been governed by the high estimate which I place upon your character and eminent qualifications to fill it." In the letter in which this proposal is declined, among other remarks, Mr. Pierce says: "Although the early years of my manhood were devoted to public life, it was never really suited to my taste. I longed, as I am sure you must often have done, for the quiet and independence that belong only to the private citizen; and now, at forty, I feel that desire stronger than ever. When I resigned my seat in the senate, in 1842, I did it with the fixed purpose never again to be voluntarily separated from my family for any considerable time, except at the call of my country in time of war; and yet this consequence, for the reason before stated (the ill-health of Mrs. Pierce) and on account of climate, would be very likely to result from my acceptance. These are some of the considerations which have influenced my decision. You will, I am sure, appreciate my motives. You will not believe that I have weighed my personal convenience and ease against the public interest, especially as the office is one which, if not sought, would be readily accepted by gentlemen who could bring to your aid attainments and qualifications vastly superior to mine."

It is unquestionable (says Hawthorne) that, at this period, Pierce hoped and expected to spend a life of professional toil in a private station, undistinguished except by the exercise of his great talents in peaceful pursuits. But such was not his destiny. The contingency to which he referred in the above letter, as the sole exception to his purpose of never being separated from his family, was now about to occur. Nor did he fail to comport himself as, not only that intimation, but the whole tenor of his character, gave reason to anticipate.

In 1844, Mr. Pierce had experienced the greatest affliction of his life. In that year died his son, Frank Robert, a little boy of rare beauty and promise, aged four years, and leaving his bereaved father and mother with only one surviving child, a son then of about three years of age, and destined also to be taken from them by death nine years afterward—the last remaining hope of his tender parents.

When the war between the United States and Mexico broke out, it found Franklin Pierce pledged to the service of his country. He showed his readiness to redeem the pledge, by enrolling himself as the earliest volunteer of a company raised in Concord, and went through the regular drill, with his fellow-soldiers, as a private in the ranks. On the passage of the act for the increase of the army, he received the appointment of colonel of the ninth regiment, which was the quota of New England toward the ten regiments that were to be raised: and shortly afterward,

in March, 1847, he was commissioned as brigadier-general in the army, his brigade consisting of regiments from the extreme north, the extreme west, and the extreme south of the Union.

There is nothing in any other country (says Hawthorne) similar to what we see in our own, when the blast of the trumpet at once converts men of peaceful pursuits into warriors. Every war in which America has been engaged has done this; the valor that wins our battles is not the trained hardihood of veterans, but a native and spontaneous fire; and there is surely a chivalrous beauty in the devotion of the citizen-soldier to his country's cause, which the man who makes arms his profession, and is but doing his regular business on the field of battle, can not pretend to rival. Taking the Mexican war as a specimen, this peculiar composition of an American army, as well in respect to its officers as its private soldiers, seems to create a spirit of romantic adventure which more than supplies the place of disciplined courage.

On the other hand, there were serious objections entertained by officers of the regular army, and by many other American citizens, to the course of President Polk, in appointing to high offices, in both the regular and volunteer army employed in the Mexican war, political favorites without regard to their military qualifications. The American Whig Review, of November, 1852, on this subject, remarks:—

“But there is a matter in connection with the Mexican war for which we are disposed to hold General Pierce to a serious responsibility. By accepting a commission at the hands of Mr. Polk, he made himself a party to the unparalleled abuse which the latter committed, *flagrante bello*, when he converted appointments to the army into mere *spoils*, and conferred commissions of every grade on partisans and political favorites only, to the great prejudice of the accomplished and gallant officers of the old army, and to the infinite detriment of the public service. He conferred on William O. Butler and Robert Patterson, commissions as majors-general, and on Thomas Marshall, Joseph Lane, and James Shields, as brigadiers—to command the volunteer forces—neither of whom had been educated to the profession of arms; but all of them were obviously political. We believe that it would have been better to have taken for these important situations some of the old army, but are not disposed to make any particular complaint, as the volunteers were in the nature of militia, and perhaps civilians suddenly garnished with epaulettes and swords would do well enough in commanding them. We can not, however, reprehend the conduct of Mr. Polk too much, in proscribing as he did, in this connection, at least one half of the country. Fortunately the volunteers were, by the act of Congress, authorized to designate their own field and company officers, and thus a considerable number of whigs obtained access to the field of battle. As colonels, and in other subordinate situations, they acquitted themselves creditably, and won a higher reputation than Mr. Polk's majors-general and brigadiers.

"But, though the course of Mr. Polk in this respect," continues the Review, "may be entitled to some indulgence, in consideration of the character of the force, yet what are we to think of his conduct on the occasion of the increase of the regular army, by the addition of ten new regiments? It was obvious that he was bound, by every rule of justice and every dictate of propriety, to recognise the claims of men who had consecrated their whole lives to their country—of men who had been present on every battle-field, from the opening of the last war with Great Britain down to that of Mexico? But we are safe, at any rate, in insisting that he should have paid some attention to those who were then in the presence of the enemy, and who had distinguished themselves on the fields of Palo Alto and Resaca de la Palma, and at Monterey. They were, however, all of them remorselessly set aside and passed over. He appointed Pillow and Quitman majors-general, and Pierce, Cadwallader, Cushing, and Price, brigadiers; and thus enabled the two former to command every officer in the regular army, except Majors-General Scott, Gaines, Jesup, and Taylor; and the four latter all of those gallant officers who had obtained imperishable renown, in conflicts with the enemy, from 1811 to 1847. Veterans of great merit, superseded by these political brigadiers, have been from that day to this remonstrating against the indignity offered them by Mr. Polk. And, what is a little curious, these men, so suddenly and so unaccountably elevated above such exalted worth, were all lawyers. Why could not Mr. Polk discover some fitness in other walks of civil life? He should have recollected that Warren, who fell on Bunker hill, and Mercer at Trenton, were both physicians. One would suppose that there might have been found among the millions who handle the plough, or the hammer, at least one individual equal to his democratic lawyers;—or did he suppose that chopping logic in court-houses alone fitted a man for chopping off, *secundem artem*, heads, arms, &c., on battle-fields? Mr. Pierce was a party to the enormous injustice done to the gallant officers of the old army, and to the no less enormous outrage of committing to untried and incompetent hands the safety of our armies and the honor of our flag."

Having accepted a commission tendered him by President Polk, General Pierce, accompanied by Colonel Ransom, proceeded to Boston, to await the work of preparation for embarking the troops for Mexico. He sailed from Newport on the 27th of May, 1847, in the bark Kepler, having on board three companies of the ninth regiment of infantry, together with Colonel Ransom, its commander, and the officers belonging to the detachment. The passage was long and tedious, with protracted calms, and so smooth a sea that a sail-boat might have performed the voyage in safety. The Kepler arrived at Vera Cruz in precisely a month after her departure from the United States, without speaking a single vessel from the south during her passage, and of course receiving no intelligence as to the posi-

tion and state of the army which these reinforcements were to join. At Vera Cruz, the troops under Pierce encountered pestilence and disease, and the general himself was taken very ill. He soon recovered, and, with but a small loss, left Vera Cruz in the middle of the month of July for the interior of Mexico. The whole force under his command consisted of about twenty-four hundred men. His line of march was a most harassing one, beset on all sides by Mexican soldiers and guerilla bands, whose object was to intercept all recruits on their march to succor General Scott. The great object of Pierce was, not to give battle, but to avoid it—to present General Scott with the greatest possible number of healthy soldiers, within the smallest space of time. Fifteen miles from Vera Cruz, the courage and decision of General Pierce were put to trial. He was there attacked by a fierce guerilla party, and gave an order to charge upon the chapparal. The enemy was completely routed, after some severe fighting. At the national bridge he was again attacked by the guerillas, who barricaded the bridge. He ordered Captain Dupreau to dash over the barricade and charge the enemy. The order was promptly executed, and with success. In this skirmish, General Pierce had a narrow escape, having received an escopette ball through the rim of his hat, but without other damage than leaving his head, for a short time, without protection from the sun. "The balls," says Pierce, in his private journal, "spattered like hailstones around us, at the moment the column advanced; and it seems truly wonderful that so few took effect."

On the 1st of August, General Pierce was at Perote, and advised General Scott of the state of his command, as follows: "I shall bring to your command about twenty-four hundred of all arms. To-morrow morning, at four o'clock, I shall leave here for Puebla, and shall make the march in four days."

The men under his care were principally northern recruits: they had suffered much by disease; had been attacked five times by guerilla parties; and yet General Pierce had lost scarcely a man, though in the heart of an enemy's country. On the 6th of August, 1847, he joined General Scott at Puebla, with his command in excellent condition.*

General Pierce kept a journal, for the perusal of his family and friends, which he continued up to the 1st of August. In its clear and simple narrative (says Hawthorne) the reader can not fail to see—although it was written with no purpose of displaying them—the native qualities of a born soldier, together with the sagacity of an experienced one. He had proved himself, moreover, physically apt for war, by his easy endurance of the fatigues of the march. Nature, indeed, has endowed him with a rare elasticity of both mind and body. After the severest toil, a single night's rest does as much for him, in the way of refreshment, as a week could do for most other men.

* Bartlett.

General Scott, who was at Puebla, with the main army, awaiting this reinforcement, began his march toward the city of Mexico on the day after General Pierce's arrival. The battle of Contreras was fought on the 19th of August. In this action, the Mexican force consisted of about seven thousand men, posted in a strongly-entrenched camp under General Valencia. A portion of the American forces were ordered to move against Valencia's left flank, while a vigorous assault was made upon his front; and General Pierce's brigade formed a part of the force engaged in this latter movement, in which four thousand newly-recruited men, unable to bring their artillery to bear, contended against seven thousand disciplined soldiers, protected by intrenchments, and showering round-shot and shells against the assailing troops. In the midst of the fire of the enemy, Pierce, advancing at the head of the column and encouraging his troops, was severely injured by the fall of his horse, occasioned by the animal thrusting his foot into a crevice among the rocks, breaking his own leg, and crushing his rider heavily beneath him. He suffered great pain, but was assisted to mount another horse, and remained in the saddle until eleven o'clock at night, when beneath a torrent of rain, destitute of a tent or other protection, without food or refreshment, he stretched himself upon an ammunition wagon, where he lay, prevented by pain from finding repose. At early dawn he was again in the saddle, at the head of his brigade, which had taken its former position in front of the enemy. Soon after, the Mexican camp was stormed, and in the short space of seventeen minutes it had fallen into the hands of the assailants, together with a multitude of prisoners. The remnant of the routed enemy fled toward Churubusco, Pierce leading his brigade in pursuit, over ground strewn with the dead and dying. The pursuit was continued until past noon, Santa Anna's army having made a stand at the strong positions of Churubusco and San Antonio, where the great conflict of the day commenced. Pierce's brigade was ordered to pursue a route by which the enemy could be attacked in the rear. Against the remonstrance of General Scott, who considered him too much injured to remain on the field, Pierce advanced at the head of his brigade, and the troops were soon under fire. When the brigade had advanced about a mile, its march was impeded by a wide and deep ditch. It being impossible to leap it, General Pierce was lifted from his saddle, and, hurt as he was, contrived to wade or scramble across this obstacle, leaving his horse on the other side. In the excitement of the battle he forgot his injury, and hurried forward, leading the brigade, a distance of two or three hundred yards. But, in consequence of the exhaustion of his frame and the anguish of his injured knee, he fell, faint and almost insensible, within full range of the enemy's fire. He refused to be borne from the field, and there he lay, under the tremendous fire of Churubusco, until the enemy was routed and the contest ended.

Immediately after this victory, Santa Anna sent a flag of truce pro-

posing an armistice, with a view to negotiations for peace ; and General Pierce was appointed by the commander-in-chief one of the commissioners to arrange the terms of this armistice, Generals Quitman and Percifer F. Smith being his colleagues in the commission. Pierce was unable to walk or to mount his horse without assistance, when the intelligence of his appointment reached him. He immediately obeyed the summons, was assisted into the saddle, and rode to Tacubaya, where, at the house of the British consul general, the American and Mexican commissioners were assembled. The conference began late in the afternoon and continued until four o'clock the next morning, when the articles were signed. Pierce then proceeded to the quarters of General Worth, where he obtained a short repose.

The armistice was of short duration. Military operations, after a temporary interruption, were actively renewed ; and on the 8th of September was fought the bloody battle of Molino del Rey, one of the fiercest and most destructive of the war. General Pierce, with his brigade, participated in that battle, as well as that of Chapultepec, which was fought on the 13th of September. On the preceding day, although greatly enfeebled from previous marches and battles, General Pierce had acted with his brigade. In obedience to orders, it had occupied the field of Molina del Rey. Contrary to expectation, it was found that the enemy's force had been withdrawn from this position. Pierce remained in the field until noon, when, it being certain that the anticipated attack would not take place before the following day, he returned to the quarters of General Worth. There he became extremely ill, and was unable to leave his bed for thirty-six hours. In the meantime, the castle of Chapultepec was stormed by the troops under Generals Pillow and Quitman. Pierce's brigade behaved itself gallantly and suffered severely ; and that accomplished officer Colonel Ransom, leading the ninth, or New England regiment, to the attack, was shot through the head, and fell with many other brave men, in that last battle of the war. The campaign closed with Chapultepec. The Mexicans had abandoned their capital. The victorious Americans took possession, and their flag waved over the "halls of the Montezumas," which had seen no conquering foe since the Spaniards under Cortez had taken possession more than three centuries before.

General Pierce remained in Mexico until December, 1847, when, as the warfare was over and peace about being concluded, he set out on his return home. In nine months, crowded full of incident, he had seen far more of actual service than many professional soldiers during their whole lives. As soon as the treaty of peace was signed, he gave up his commission, and returned to the practice of the law, again proposing to spend the remainder of his days in the bosom of his family. All the dreams of his youth were now fulfilled ; the military ardor that had struck an hereditary root in his breast had enjoyed its scope and was satisfied ;

and he flattered himself that no circumstances could hereafter occur to draw him from the retirement of domestic peace. New Hampshire received him with pride and honor, and even with more enthusiastic affection than ever. At his departure he had received a splendid sword at the hands of many of his friends, in token of their confidence; he had shown himself well worthy to wear, and able to use, a soldier's weapon; and his native state now gave him another, the testimonial of approved valor and warlike conduct.*

The intervening years from his return from Mexico to his election to the presidency, were spent by General Pierce in close attention to his profession as a lawyer—an employment scarcely varied or interrupted except by those episodes of political activity in which he felt compelled to engage. In the presidential canvass of 1848, he used his best efforts in behalf of the candidate of his party, General Cass. When the series of measures known under the collective term of the compromise were passed by Congress in 1850, General Pierce gave them his decided approval, as a settlement of the agitated questions regarding slavery. On previous occasions, however, he had expressed opinions adverse to the extension of slavery; and at a public meeting at Concord, on the 5th of June, 1845, in a speech in reply to John P. Hale, Mr. Pierce said (as reported in the *New Hampshire Patriot* of June 12, 1845):—

“He had only to say now, what he had always said, that he regarded slavery as one of the greatest moral and social evils—a curse upon the whole country, and this he believed to be the sentiment of all men, of all parties, at the North. He was free to admit that he had himself approached this subject of annexation [of Texas] with all his prejudices and prepossessions against it, and on one ground alone—its slavery feature. His convictions on this subject were, as had been stated, strong; not the result of any new light, but deeply fixed and abiding. The only difficulty in his mind ever had been that of a recognition, by any new act of our government, of the institution of domestic slavery; and he had found it extremely difficult to bring his mind to a condition impartially to weigh the argument for and against the measure.”

Some years subsequently, in the New Hampshire constitutional convention, on the 1st January, 1851, General Pierce remarked: “I would take the ground of the non-extension of slavery—that slavery should not become stronger. But Congress have only re-enacted the old law of 1793. Union-loving men, desiring peace and loving their country, conceded that point, unwillingly conceded it, and planting themselves upon this law against the outburst of popular feeling, resisted the agitation which is assaulting all who stand up for their country. But the gentleman says that the law is obnoxious! What single thing is there connected with slavery that is not obnoxious? Even the gentleman from

* Hawthorne.

Marlborough [Dr. Batcheler, an ultra abolitionist] can not feel more deeply than I do on this subject," &c.

In the autumn of 1850, in pursuance of a vote of the people, a convention assembled at Concord for the revision of the constitution of New Hampshire. General Pierce was elected its president by an almost unanimous vote, in a body which included Judge Woodbury and other of the most eminent citizens of the state. His conduct as presiding officer was satisfactory to all parties. The amendments proposed by the convention were numerous, and were all rejected by the people.

On the 19th of June, 1852, the democratic national convention assembled at Baltimore, for the nomination of candidates for president and vice-president of the United States. In the previous January, the democratic state convention of New Hampshire had signified their preference for Franklin Pierce as the presidential candidate—a demonstration which drew from him a response addressed to his friend, Mr. Atherton. We make the following extract:—

“To these my sincere and grateful acknowledgments, I desire to add, the same motives which induced me several years ago to retire from public life, and which since that time controlled my judgment in this respect, now impel me to say, that the use of my name, in any event, before the democratic national convention at Baltimore, to which you are a delegate, would be utterly repugnant to my taste and wishes.”

Notwithstanding this letter, it is believed that the New Hampshire delegates to the convention, particularly Charles G. Atherton and Edmund Burke, were determined to avail themselves of any favorable opportunity which might occur, in the expected non-agreement of the convention on a candidate, to endeavor to effect the nomination of General Pierce. The opportunity was presented.

The convention continued its sessions during four days. Thirty-five ballotings were held, with a continually-decreasing prospect that the friends of any one of the gentlemen hitherto prominent before the people would succeed in obtaining the two-thirds vote that was requisite for a nomination.

For ten successive ballotings after General Pierce's name had been brought forward on the thirty-fifth ballot, when he received fifteen votes, the whole number given to him failed to exceed thirty votes at any one time, as Virginia, Maine, and New Hampshire, had voted for him. On the forty-eighth ballot he received fifty-five votes; and on the forty-ninth and final ballot, North Carolina had determined to cast her vote for Pierce, and James C. Dobbins, one of her delegates, was about to give it. He made a most eloquent speech at the moment, which had a powerful influence on the convention, and led to Pierce's nomination. He received two hundred and eighty-two votes, against eleven for all others, and was declared the nominee of the convention. Quickly as the lightning-flash

could blazon it abroad (says Hawthorne), his name was on every tongue from end to end of this vast country. Within an hour he grew to be illustrious.

The presidential election of November, 1852, did not turn upon the personal popularity of the candidates. General Pierce received the united vote of the democratic party throughout the nation, in addition, as was supposed, to the votes of fifty thousand whigs who were dissatisfied with the nomination of General Scott. Of the votes of the electoral colleges, Pierce received two hundred and fifty-four, and Scott forty-two votes.

In the midst of the congratulations of his countrymen, General Pierce and his wife were plunged into the deepest affliction, by a sad accident which deprived them of their last remaining child. Their son Benjamin was a promising youth in the thirteenth year of his age. He not only had great inclination to study, but was one of those affectionate boys who win the love and esteem of all. If ever child promised to fulfil the expectations of his friends, it was he, whose charming voice and sweet countenance dwell on the memory of all who knew him.

On a winter's morning—the 6th of January, 1853—the president elect, his wife and son, were seated with a feeling of perfect security, for a short journey on the railroad between Andover and Lawrence, Massachusetts. There was a sound like a peal of thunder. The car was thrown off the track, and dashed against the rocks. Benjamin Pierce was instantly killed, and several other passengers were severely injured. Some died of their wounds. The president elect was childless. The eyes of his dear, his only son, had shut for ever to the light, and the soul had departed. The afflicted parents wept with heartfelt agony. That son, on whom they doated, they were never to see more. Like four of his predecessors in the presidency—Washington, Madison, Jackson, and Polk—General Pierce was destined to enter on the honors of the executive of the nation in the solitude of a childless life.

One of the president's biographers remarks: "And now, in the midst of all his triumphs, the secret sting of sadness remains buried in his heart. Providence has so dispensed the good and the evil of life, that every man, whatever his station or however happy his lot, finds crosses and afflictions which always counterbalance his pleasures. There is no perfect happiness on earth. Prosperity is a dream; glory a mistake; the world a deception, which finds only phantoms, leaving nothing solid in the heart. God alone can comfort our afflictions, and in the meditation of his holy law and submission to his eternal decrees do the bereaved parents seek those consolations which they have never found in the world, and which, while softening their afflictions here below, will secure to them their immortal reward hereafter."

General Pierce and his wife have always been regular attendants on

divine worship in the congregational church, the lady being a professor of religion. The president was carefully educated in the religious principles which distinguished the first settlers of New England; and in early manhood he became attached to those doctrines in which he was educated.

The personal appearance of General Pierce is elegant and commanding. His height is about five feet ten inches; he is rather slight in figure, and has a very pleasant and impressive address. His eyes are dark, bright, and piercing; his hair dark; his forehead and face fine, open, and frank in their expression.

The votes for president and vice-president having been counted in Congress on the 9th February, and the result declared, a joint committee was appointed to wait upon the president elect and inform him of his election. In his reply to the committee, Mr. Pierce said: "You will please to communicate to the respective houses of Congress my acceptance of the trust confided to me, and at the same time express to them my grateful acknowledgments, and assure them of the deep sense of obligation with which I regard this manifestation on the part of my countrymen. It will be my earnest endeavor to prove that their confidence has not been misplaced."

THE INAUGURATION.

THE national ceremony of the inauguration of the president of the United States took place, as usual, at the city of Washington, on Friday, March 4, 1853. A large concourse of strangers as well as citizens were in attendance; and it was estimated that the census of Washington city and Georgetown had been increased, within a week of the time, upward of twenty thousand persons. The country adjacent to the capitol poured in, on the morning of the ceremony, from every point of the compass, until at length there must have been, for a time, approximating seventy or eighty thousand persons within the city limits. At an early hour, drums beat, and music resounded in various parts of the city, to arouse and prepare the people for the pageant of the day. The weather was not pleasant; a raw northeasterly wind, wafting a continuous though fast-melting snow, made its effects felt on all exposed to it: still, it was not forbidding enough to prevent any, but invalids, from participating in the scene in the open air.

The military array was on a scale grander than any that had preceded it in Washington. Besides the United States troops and volunteer regiment of the District of Columbia, several military companies were pres-

ent from New York, Baltimore, and other places. These, with the other constituent parts of the procession, met on the parade-ground in front of the city-hall, and about noon marched thence to Pennsylvania avenue, to escort FRANKLIN PIERCE, the president elect, from his lodgings, at Willard's hotel, to the capitol.

Arrived at the hotel, the procession was joined by an open barouche, containing President Fillmore and the president elect, and Senators Bright, of Indiana, and Hamlin, of Maine, of the committee of arrangements; the barouche being surrounded by the marshal of the District of Columbia and his aids. First in the procession were the United States artillery and marines, followed by the other military companies; then followed the president's barouche; after which were several fire companies, bands of marine, and democratic associations from various cities. In order to accommodate the people as much as possible, in viewing the ceremony, the large gates of the capitol-yard were closed to carriages. The president's party and the diplomatic corps were admitted by the north-side gate and a covered way to the north door of the capitol. The pedestrian portion of the procession, with the people at large, entered by one of the side gates.

The president, president elect, and committee of arrangements, having arrived in the senate-chamber, after the usual formalities there, they proceeded thence to the platform erected for the occasion, over the steps leading up to the eastern portico. The president elect then stood forward, and, holding up his right hand, took the oath of office, which was administered by the chief-justice of the United States, Roger B. Taney.

President Pierce then delivered his inaugural address, without the use of notes or written paper (in this respect differing from all his predecessors); but with much energy and oratorical action, and with a strong, clear voice, that made itself heard over an area containing about fifteen thousand spectators. The address was commenced at half-past one o'clock, or one hour after the first movement of the procession, and concluded at about two o'clock. It was received with enthusiasm by the immense audience who listened to it.

The artillery announced the conclusion of the address; and the president, escorted by the military and accompanied by Ex-President Fillmore and others, proceeded to the presidential mansion, where the new president received the congratulations of the people as they passed rapidly through the circular room, from the north to the south front of the mansion. Ex-President Fillmore then left the president, and occupied the suite of rooms which had been vacated by Mr. Pierce at Willard's hotel.

The vice-president elect, William R. King, was absent from ill-health, and at the time of the inauguration was sojourning at the island of Cuba, in the West Indies. The oath of office was administered to Mr. King at

Matanzas, by the United States consul, according to a special act of Congress; soon after which, he returned to his residence near Selina, Alabama, where he died.

THE CABINET.

On the 7th of March, President Pierce nominated the following gentlemen to compose his cabinet, and they were forthwith confirmed without opposition by the senate, which was then in session: William L. Marcy, of New York, secretary of state; James Guthrie, of Kentucky, secretary of the treasury; Jefferson Davis, of Mississippi, secretary of war; James C. Dobbin, of North Carolina, secretary of the navy; Robert M'Clelland, of Michigan, secretary of the interior; James Campbell, of Pennsylvania, postmaster-general; Caleb Cushing, of Massachusetts, attorney-general.

These heads of departments entered on their duties the following day.

PIERCE'S

ADDRESSES AND MESSAGES.

INAUGURAL ADDRESS.

MARCH 4, 1853.

MY COUNTRYMEN: It is a relief to feel that no heart but my own can know the personal regret and bitter sorrow, over which I have been borne to a position, so suitable for others, rather than desirable for myself.

The circumstances under which I have been called, for a limited period, to preside over the destinies of the republic, fill me with a profound sense of responsibility, but with nothing like shrinking apprehension. I repair to the post assigned me, not as to one sought, but in obedience to the unsolicited expression of your will, answerable only for a fearless, faithful, and diligent exercise of my best powers. I ought to be, and am, truly grateful for the rare manifestation of the nation's confidence; but this, so far from lightening my obligations, only adds to their weight. You have summoned me in my weakness: you must sustain me by your strength. When looking for the fulfilment of reasonable requirements, you will not be unmindful of the great changes which have occurred, even within the last quarter of a century, and the consequent augmentation and complexity of duties imposed, in the administration both of your home and foreign affairs.

Whether the elements of inherent force in the republic have kept pace with its unparalleled progression in territory, population, and wealth, has been the subject of earnest thought and discussion on both sides of the ocean. Less than sixty-four years ago, the Father of his country made "the" then "recent accession of the important state of North Carolina to the constitution of the United States," one of the subjects of his special congratulation. At that moment, however, when the agitation consequent upon the revolutionary struggle had hardly subsided, when we were just emerging from the weakness and embarrassments of the confederation, there was an evident consciousness of vigor equal to the great mission so wisely and bravely fulfilled by our fathers. It was not a presumptuous assurance, but a calm faith, springing from a clear view of the sources of power, in a government constituted like ours. It is no paradox to say that, although comparatively weak, the new-born nation was intrinsically strong. Inconsiderable in population and apparent resources, it was upheld by a broad and intelligent comprehension of rights, and an all-pervading purpose to maintain them, stronger than armaments. It came from the furnace of the Revolution, tempered to the necessities of the times.

The thoughts of the men of that day were as practical as their sentiments were patriotic. They wasted no portion of their energies upon idle and delusive speculations, but with a firm and fearless step advanced beyond the governmental landmarks, which had hitherto circumscribed the limits of human freedom, and planted their standard where it has stood, against dangers, which have threatened from abroad, and internal agitation which has at times fearfully menaced at home. They approved themselves equal to the solution of the great problem, to understand which their minds had been illuminated by the dawning lights of the Revolution. The object sought was not a thing dreamed of: it was a thing realized. They had exhibited not only the power to achieve, but what all history affirms to be so much more unusual, the capacity to maintain. The oppressed throughout the world, from that day to the present, have turned their eyes hitherward, not to find those lights extinguished, or to fear lest they should wane, but to be constantly cheered by their steady and increasing radiance.

In this, our country has, in my judgment, thus far fulfilled its highest duty to suffering humanity. It has spoken, and will continue to speak, not only by its words, but by its acts, the language of sympathy, encouragement, and hope, to those who earnestly listen to the tones which pronounce for the largest rational liberty. But, after all, the most animating encouragement and potent appeal for freedom will be its own history, its trials, and its triumphs. Pre-eminently, the power of our advocacy reposes in our example; but no example, be it remembered, can be powerful for lasting good, whatever apparent advantages may be gained, which is not based upon eternal principles of right and justice. Our fathers decided for themselves, both upon the hour to declare and the hour to strike. They were their own judges of the circumstances under which it became them to pledge to each other "their lives, their fortunes, and their sacred honor," for the acquisition of the priceless inheritance transmitted to us. The energy with which that great conflict was opened, and, under the guidance of a manifest and beneficent Providence, the uncomplaining endurance with which it was prosecuted to its consummation, were only surpassed by the wisdom and patriotic spirit of concession which characterized all the counsels of the early fathers.

One of the most impressive evidences of that wisdom is to be found in the fact, that the actual working of our system has dispelled a degree of solicitude, which, at the outset, disturbed bold hearts and far-reaching intellects. The apprehension of dangers from extended territory, multiplied states, accumulated wealth, and augmented population, has proved to be unfounded. The stars upon your banner have become nearly threefold their original number; your densely-populated possessions skirt the shores of the two great oceans; and yet this vast increase of people and territory has not only shown itself compatible with the harmonious action of the states and federal government in their respective constitutional spheres, but has afforded an additional guarantee of the strength and integrity of both.

With an experience thus suggestive and cheering, the policy of my administration will not be controlled by any timid forebodings of evil from expansion. Indeed, it is not to be disguised that our attitude as a nation, and our position on the globe, render the acquisition of certain possessions, not within our jurisdiction, eminently important for our protection, if not in the future essential for the preservation of the rights of commerce and the peace of the world. Should they be obtained, it will be through no grasping spirit, but with a view to obvious national interest and securi-

ty, and in a manner entirely consistent with the strictest observance of national faith. We have nothing in our history or position to invite aggression, we have everything to beckon us to the cultivation of relations of peace and amity with all nations. Purposes, therefore, at once just and pacific, will be significantly marked in the conduct of our foreign affairs. I intend that my administration shall leave no blot upon our fair record, and trust I may safely give the assurance that no act within the legitimate scope of my constitutional control will be tolerated, on the part of any portion of our citizens, which can not challenge a ready justification before the tribunal of the civilized world. An administration would be unworthy of confidence at home, or respect abroad, should it cease to be influenced by the conviction that no apparent advantages can be purchased at a price so dear as that of national wrong or dishonor. It is not your privilege, as a nation, to speak of a distant past. The striking incidents of your history, replete with instruction, and furnishing abundant grounds for hopeful confidence, are comprised in a period comparatively brief. But if your past is limited, your future is boundless. Its obligations through the unexplored pathway of advancement, and will be limitless as duration. Hence a sound and comprehensive policy should embrace, not less the distant future than the urgent present.

The great objects of our pursuit, as a people, are best to be attained by peace, and are entirely consistent with the tranquillity and interests of the rest of mankind. With the neighboring nations upon our continent, we should cultivate kindly and fraternal relations. We can desire nothing in regard to them so much, as to see them consolidate their strength, and pursue the paths of prosperity and happiness. If, in the course of their growth, we should open new channels of trade, and create additional facilities for friendly intercourse, the benefits realized will be equal and mutual. Of the complicated European systems of national polity we have heretofore been independent. From their wars, their tumults and anxieties, we have been, happily, almost entirely exempt. While these are confined to the nations which gave them existence, and within their legitimate jurisdiction, they can not affect us, except as they appeal to our sympathies in the cause of human freedom and universal advancement. But the vast interests of commerce are common to all mankind, and the advantages of trade and international intercourse must always present a noble field for the moral influence of a great people.

With these views firmly and honestly carried out, we have a right to expect, and shall under all circumstances require, prompt reciprocity. The rights which belong to us as a nation are not alone to be regarded, but those which pertain to every citizen in his individual capacity, at home and abroad, must be sacredly maintained. So long as he can discern every star in its place upon that ensign, without wealth to purchase for him preferment, or title to secure for him place, it will be his privilege, and must be his acknowledged right to stand unabashed even in the presence of princes, with a proud consciousness that he is himself one of a nation of sovereigns, and that he can not, in legitimate pursuit, wander so far from home that the agent whom he shall leave behind in the place which I now occupy, will not see that no rude hand of power or tyrannical passion is laid upon him with impunity. He must realize that upon every sea and on every soil, where our enterprise may rightfully seek the protection of our flag, American citizenship is an inviolable panoply for the security of American rights. And in this connection it can hardly be

necessary to reaffirm a principle which should now be regarded as fundamental. The rights, security, and repose of this confederacy, reject the idea of interference or colonization on this side of the ocean by any foreign power, beyond present jurisdiction, as utterly inadmissible.

The opportunities of observation, furnished by my brief experience as a soldier, confirmed in my own mind the opinion, entertained and acted upon by others from the formation of the government, that the maintenance of large standing armies in our country would be not only dangerous but unnecessary. They also illustrated the importance, I might well say the absolute necessity, of the military science and practical skill furnished, in such an eminent degree, by the institution, which has made your army what it is, under the discipline and instruction of officers not more distinguished for their solid attainments, gallantry, and devotion to the public service, than for unobtrusive bearing and high moral tone. The army, as organized, must be the nucleus, around which, in every time of need, the strength of your military power, the sure bulwark of your defence—a national militia—may be readily formed into a well-disciplined and efficient organization. And the skill and self-devotion of the navy assure you that you may take the performance of the past as a pledge for the future, and may confidently expect that the flag which has waved its untarnished folds over every sea, will still float in undiminished honor. But these, like many other subjects, will be appropriately brought, at a future time, to the attention of the co-ordinate branches of the Government, to which I shall always look with profound respect, and with trustful confidence that they will accord to me the aid and support which I shall so much need, and which their experience and wisdom will readily suggest.

In the administration of domestic affairs, you expect a devoted integrity in the public service, and an observance of rigid economy in all departments, so marked as never justly to be questioned. If this reasonable expectation be not realized, I frankly confess that one of your leading hopes is doomed to disappointment, and that my efforts in a very important particular must result in a humiliating failure. Offices can be properly regarded only in the light of aids for the accomplishment of these objects; and as occupancy can confer no prerogative, nor importunate desire for preferment any claim, the public interest imperatively demands that they be considered with sole reference to the duties to be performed. Good citizens may well claim the protection of good laws and the benign influence of good government; but a claim for office is what the people of a republic should never recognise. No reasonable man of any party will expect the administration to be so regardless of its responsibility, and of the obvious elements of success, as to retain persons, known to be under the influence of political hostility and partisan prejudice, in positions, which will require, not only severe labor, but cordial co-operation. Having no implied engagements to ratify, no rewards to bestow, no resentments to remember, and no personal wishes to consult, in selections for official stations, I shall fulfil this difficult and delicate trust, admitting no motive as worthy either of my character or position, which does not contemplate an efficient discharge of duty and the best interests of my country. I acknowledged my obligations to the masses of my countrymen, and to them alone. Higher objects than personal aggrandizement gave direction and energy to their exertions in the late canvass, and they shall not be disappointed. They require at my hands diligence, integrity, and capacity, wherever there are duties to be performed. Without these qual-

ities in their public servants, more stringent laws, for the prevention or punishment of fraud, negligence, and speculation, will be vain. With them, they will be unnecessary.

But these are not the only points to which you look for vigilant watchfulness. The dangers of a concentration of all power in the general government of a confederacy so vast as ours, are too obvious to be disregarded. You have a right, therefore, to expect your agents, in every department, to regard strictly the limits imposed upon them by the constitution of the United States. The great scheme of our constitutional liberty rests upon a proper distribution of power between the state and federal authorities; and experience has shown that the harmony and happiness of our people must depend upon a just discrimination between the separate rights and responsibilities of the states, and your common rights and obligations under the general government. And here, in my opinion, are the considerations which should form the true basis of future concord in regard to the questions which have most seriously disturbed public tranquillity. If the federal government will confine itself to the exercise of powers clearly granted by the constitution, it can hardly happen that its action upon any question should endanger the institutions of the states, or interfere with their right to manage matters strictly domestic according to the will of their own people.

In expressing briefly my views upon an important subject which has recently agitated the nation to almost a fearful degree, I am moved by no other impulse than a most earnest desire for the perpetuation of that Union which has made us what we are, showering upon us blessings, and conferring a power and influence which our fathers could hardly have anticipated, even with their most sanguine hopes directed to a far-off future. The sentiments I now announce were not unknown before the expression of the voice which called me here, my own position upon this subject was clear and unequivocal, upon the record of my words and my acts, and it is only recurred to at this time because silence might perhaps be misconstrued. With the Union my best and dearest earthly hopes are entwined. Without it what are we individually or collectively? What becomes of the noblest field ever opened for the advancement of our race, in religion, in government, in the arts, and in all that dignifies and adorns mankind? From that radiant constellation which both illumines our own way and points out to struggling nations their course, let but a single star be lost, and, if there be not utter darkness, the lustre of the whole is dimmed. Do my countrymen need any assurance that such a catastrophe is not to overtake them while I possess the power to stay it? It is with me an earnest and vital belief, that as the Union has been the source, under Providence, of our prosperity to this time; so it is the surest pledge of a continuance of the blessings we have enjoyed, and which we are sacredly bound to transmit undiminished to our children. The field of calm and free discussion in our country is open, and will always be so; but never has been, and never can be, traversed for good in a spirit of sectionalism and uncharitableness. The founders of the republic dealt with things as they were presented to them, in a spirit of self-sacrificing patriotism, and, as time has proved, with a comprehensive wisdom, which it will always be safe for us to consult. Every measure tending to strengthen the fraternal feelings of all the members of our Union has had my heartfelt approbation. To every theory of society or government, whether the offspring of feverish ambition or of morbid enthusiasm, calculated to dissolve the bonds of law and affection which unite us, I shall interpose a

ready and stern resistance. I believe that involuntary servitude, as it exists in different states of this confederacy, is recognised by the Constitution. I believe that it stands like any other admitted right, and that the states where it exists are entitled to efficient remedies to enforce the constitutional provisions. I hold that the laws of 1850, commonly called the "compromise measures," are strictly constitutional, and to be unhesitatingly carried into effect. I believe that the constituted authorities of this republic are bound to regard the rights of the South in this respect, as they would view any other legal and constitutional right; and that the laws to enforce them should be respected and obeyed, not with a reluctance encouraged by abstract opinions as to their propriety in a different state of society, but cheerfully, and according to the decisions of the tribunal to which their exposition belongs. Such have been, and are, my convictions, and upon them I shall act. I fervently hope that the question is at rest, and that no sectional, or ambitious, or fanatical excitement may again threaten the durability of our institutions, or obscure the light of our prosperity.

But let not the foundation of our hope rest upon man's wisdom. It will not be sufficient that sectional prejudices find no place in the public deliberations. It will not be sufficient that the rash counsels of human passion are rejected. It must be felt there is no national security but in the nation's humble, acknowledged dependence upon God and his overruling providence.

We have been carried in safety through a perilous crisis. Wise counsels, like those which gave us the constitution, prevailed to uphold it. Let the period be remembered as an admonition, and not as an encouragement, in any section of the Union, to make experiments where experiments are fraught with such fearful hazard. Let it be impressed upon all hearts, that, beautiful as our fabric is, no earthly power or wisdom could ever reunite its broken fragments. Standing as I do almost within view of the green slopes of Monticello, and, as it were, within reach of the tomb of Washington, with all the cherished memories of the past gathering around me, like so many eloquent voices of exhortation from Heaven, I can express no better hope for my country, than that the kind Providence which smiled upon our fathers may enable their children to preserve the blessings they have inherited.

FIRST ANNUAL MESSAGE.

DECEMBER 5, 1853.

Fellow-Citizens of the Senate and of the House of Representatives :

THE interest with which the people of the republic anticipate the assembling of Congress, and the fulfilment, on that occasion, of the duty imposed upon a new president, is one of the best evidences of their capacity to realize the hopes of the founders of a political system, at once complex and symmetrical: While the different branches of the government are, to a certain extent, independent of each other, the duties of all, alike, have direct reference to the source of power. Fortunately, under this system, no man is so high and none so humble in the scale of

public station as to escape from the scrutiny, or to be exempt from the responsibility, which all official functions imply.

Upon the justice and intelligence of the masses, in a government thus organized, is the sole reliance of the confederacy, and the only security for honest and earnest devotion to its interests, against the usurpations and encroachments of power on the one hand, and the assaults of personal ambition on the other.

The interest of which I have spoken is inseparable from an inquiring, self-governing community, but stimulated, doubtless, at the present time, by the unsettled condition of our relations with several foreign powers; by the new obligations resulting from a sudden extension of the field of enterprise; by the spirit with which that field has been entered, and the amazing energy with which its resources for meeting the demands of humanity have been developed.

Although disease, assuming at one time the characteristics of a widespread and devastating pestilence, has left its sad traces upon some portions of our country, we have still the most abundant cause for reverent thankfulness to God for an accumulation of signal mercies showered upon us as a nation. It is well that a consciousness of rapid advancement and increasing strength be habitually associated with an abiding sense of dependence upon Him who holds in his hands the destiny of men and of nations.

Recognising the wisdom of the broad principle of absolute religious toleration proclaimed in our fundamental law, and rejoicing in the benign influence which it has exerted upon our social and political condition, I should shrink from a clear duty, did I fail to express my deepest conviction, that we can place no secure reliance upon any apparent progress if it be not sustained by national integrity, resting upon the great truths affirmed and illustrated by divine revelation. In the midst of our sorrow for the afflicted and suffering, it has been consoling to see how promptly disaster made true neighbors of districts and cities separated widely from each other, and cheering to watch the strength of that common bond of brotherhood which unites all hearts, in all parts of this Union, when danger threatens from abroad, or calamity impends over us at home.

Our diplomatic relations with foreign powers have undergone no essential change since the adjournment of the last Congress. With some of them, questions of a disturbing character are still pending, but there are good reasons to believe that these may all be amicably adjusted.

For some years past, Great Britain has so construed the first article of the convention of the 20th of April, 1818, in regard to the fisheries on the northeastern coast, as to exclude our citizens from some of the fishing-grounds, to which they freely resorted for nearly a quarter of a century subsequent to the date of that treaty. The United States have never acquiesced in this construction, but have always claimed for their fishermen all the rights which they had so long enjoyed without molestation. With a view to remove all difficulties on the subject, to extend the rights of our fishermen beyond the limits fixed by the convention of 1818, and to regulate trade between the United States and the British North American provinces, a negotiation has been opened, with a fair prospect of a favorable result. To protect our fishermen in the enjoyment of their rights, and prevent collision between them and British fishermen, I deemed it expedient to station a naval force in that quarter during the fishing season.

Embarrassing questions have also arisen between the two governments in regard to Central America. Great Britain has proposed to settle them by an amicable arrangement, and our minister at London is instructed to enter into negotiations on that subject.

A commission for adjusting the claims of our citizens against Great Britain, and those of British subjects against the United States, organized under the convention of the 8th of February last, is now sitting in London for the transaction of business.

It is in many respects desirable that the boundary line between the United States and the British provinces in the northwest, as designated in the convention of the 15th of June, 1846, and especially that part which separates the territory of Washington from the British possessions on the north, should be traced and marked. I therefore present the subject to your notice.

With France our relations continue on the most friendly footing. The extensive commerce between the United States and that country might, it is conceived, be released from some unnecessary restrictions, to the mutual advantage of both parties. With a view to this object, some progress has been made in negotiating a treaty of commerce and navigation.

Independently of our valuable trade with Spain, we have important political relations with her, growing out of our neighborhood to the islands of Cuba and Porto Rico. I am happy to announce, that since the last Congress no attempts have been made, by unauthorized expeditions within the United States, against either of those colonies. Should any movement be manifested within our limits, all the means at my command will be vigorously exerted to repress it. Several annoying occurrences have taken place at Havana, or in the vicinity of the island of Cuba, between our citizens and the Spanish authorities. Considering the proximity of that island to our shores—lying, as it does, in the track of trade between some of our principal cities—and the suspicious vigilance with which foreign intercourse, particularly that with the United States, is there guarded, a repetition of such occurrences may well be apprehended. As no diplomatic intercourse is allowed between our consul at Havana and the captain-general of Cuba, ready explanations can not be made, or prompt redress afforded, where injury has resulted. All complaint on the part of our citizens, under the present arrangement, must be, in the first place, presented to this government and then referred to Spain. Spain again refers it to her local authorities in Cuba for investigation, and postpones an answer till she has heard from those authorities. To avoid these irritating and vexatious delays, a proposition has been made to provide for a direct appeal for redress to the captain-general by our consul, in behalf of our injured fellow-citizens. Hitherto, the government of Spain has declined to enter into any such arrangement. This course on her part is deeply regretted; for, without some arrangement of this kind, the good understanding between the two countries may be exposed to occasional interruption. Our minister at Madrid is instructed to renew the proposition, and to press it again upon the consideration of her catholic majesty's government.

For several years Spain has been calling the attention of this government to a claim for losses, by some of her subjects, in the case of the schooner *Amistad*. This claim is believed to rest on the obligations imposed by our existing treaty with that country. Its justice was admit-

ted, in our diplomatic correspondence with the Spanish government, as early as March, 1847; and one of my predecessors, in his annual message of that year, recommended that provision should be made for its payment. In January last it was again submitted to Congress by the executive. It has received a favorable consideration by committees of both branches, but as yet there has been no final action upon it. I conceive that good faith requires its prompt adjustment, and I present it to your early and favorable consideration.

Martin Koszta, a Hungarian by birth, came to this country in 1850, and declared his intention, in due form of law, to become a citizen of the United States. After remaining here nearly two years, he visited Turkey. While at Smyrna, he was forcibly seized, taken on board an Austrian brig-of-war, then lying in the harbor of that place, and there confined in irons, with the avowed design to take him into the dominions of Austria. Our consul at Smyrna and legation at Constantinople interposed for his release, but their efforts were ineffectual. While thus imprisoned, Commander Ingraham, with the United States ship-of-war *St. Louis*, arrived at Smyrna, and, after inquiring into the circumstances of the case, came to the conclusion that Koszta was entitled to the protection of this government, and took energetic and prompt measures for his release. Under an arrangement between the agents of the United States and of Austria, he was transferred to the custody of the French consul-general at Smyrna, there to remain until he should be disposed of by the mutual agreement of the consuls of the respective governments at that place. Pursuant to that agreement he has been released, and is now in the United States. The emperor of Austria has made the conduct of our officers who took part in this transaction a subject of grave complaint. Regarding Koszta as still his subject, and claiming a right to seize him within the limits of the Turkish empire, he has demanded of this government its consent to the surrender of the prisoner, a disavowal of the acts of its agents, and satisfaction for the alleged outrage. After a careful consideration of the case, I came to the conclusion that Koszta was seized without legal authority at Smyrna; that he was wrongfully detained on board of the Austrian brig-of-war; that, at the time of his seizure, he was clothed with the nationality of the United States; and that the acts of our officers, under the circumstances of the case, were justifiable, and their conduct has been fully approved by me, and a compliance with the several demands of the emperor of Austria has been declined.

For a more full account of this transaction and my views in regard to it, I refer to the correspondence between the chargé d'affaires of Austria and the secretary of state, which is herewith transmitted. The principles and policy therein maintained on the part of the United States will, whenever a proper occasion occurs, be applied and enforced.

The condition of China at this time renders it probable that some important changes will occur in that vast empire, which will lead to a more unrestricted intercourse with it. The commissioner to that country, who has been recently appointed, is instructed to avail himself of all occasions to open and extend our commercial relations, not only with the empire of China, but with other Asiatic nations.

In 1852, an expedition was sent to Japan, under the command of Commodore Perry, for the purpose of opening commercial intercourse with that empire. Intelligence has been received of his arrival there,

and of his having made known to the emperor of Japan the object of his visit; but it is not yet ascertained how far the emperor will be disposed to abandon his restrictive policy, and open that populous country to a commercial intercourse with the United States.

It has been my earnest desire to maintain friendly intercourse with the governments upon this continent, and to aid them in preserving good understanding among themselves. With Mexico, a dispute has arisen as to the true boundary line between our territory of New Mexico and the Mexican state of Chihuahua. A former commissioner of the United States, employed in running that line pursuant to the treaty of Guadalupe Hidalgo, made a serious mistake in determining the initial point on the Rio Grande; but, inasmuch as his decision was clearly a departure from the directions for tracing the boundary contained in that treaty, and was not concurred in by the surveyor appointed on the part of the United States, whose concurrence was necessary to give validity to that decision, this government is not concluded thereby; but that of Mexico takes a different view of the subject.

There are also other questions of considerable magnitude pending between the two republics. Our minister in Mexico has ample instructions to adjust them. Negotiations have been opened, but sufficient progress has not been made therein to enable me to speak of the probable result. Impressed with the importance of maintaining amicable relations with that republic and of yielding with liberality to all her just claims, it is reasonable to expect that an arrangement mutually satisfactory to both countries may be concluded, and a lasting friendship between them confirmed and perpetuated.

Congress having provided for a full mission to the states of Central America, a minister was sent thither in July last. As yet he has had time to visit only one of these states (Nicaragua), where he was received in the most friendly manner. It is hoped that his presence and good offices will have a benign effect in composing the dissensions which prevail among them, and in establishing still more intimate and friendly relations between them respectively, and between each of them and the United States.

Considering the vast regions of this continent, and the number of states which would be made accessible by the free navigation of the river Amazon, particular attention has been given to this subject. Brazil, through whose territories it passes into the ocean, has hitherto persisted in a policy so restrictive, in regard to the use of this river, as to obstruct and nearly exclude foreign commercial intercourse with the states which lie upon its tributaries and upper branches. Our minister to that country is instructed to obtain a relaxation of that policy, and to use his efforts to induce the Brazilian government to open to common use, under proper safeguards, this great natural highway for international trade. Several of the South American states are deeply interested in this attempt to secure the free navigation of the Amazon, and it is reasonable to expect their co-operation in the measure. As the advantages of free commercial intercourse among nations are better understood, more liberal views are generally entertained as to the common rights of all to the free use of those means which nature has provided for international communication. To these more liberal and enlightened views it is hoped that Brazil will conform her policy, and remove all unnecessary restrictions upon the free use of a river, which traverses so many states and so large

a part of the continent. I am happy to inform you that the republic of Paraguay and the Argentine confederation have yielded to the liberal policy still resisted by Brazil, in regard to the navigable rivers within their respective territories. Treaties, embracing this subject among others, have been negotiated with these governments, which will be submitted to the senate at the present session.

A new branch of commerce, important to the agricultural interests of the United States, has, within a few years past, been opened with Peru. Notwithstanding the inexhaustible deposits of guano upon the islands of that country, considerable difficulties are experienced in obtaining the requisite supply. Measures have been taken to remove these difficulties, and to secure a more abundant importation of the article. Unfortunately, there has been a serious collision between our citizens, who have resorted to the Chincha islands for it, and the Peruvian authorities stationed there. Redress for the outrages committed by the latter was promptly demanded by our minister at Lima. This subject is now under consideration, and there is reason to believe that Peru is disposed to offer adequate indemnity to the aggrieved parties.

We are thus not only at peace with all foreign countries, but, in regard to political affairs, are exempt from any cause of serious disquietude in our domestic relations.

The controversies which have agitated the country heretofore are passing away, with the causes which produced them, and the passions which they had awakened; or, if any trace of them remains, it may be reasonably hoped that it will only be perceived in the zealous rivalry of all good citizens to testify their respect for the rights of the states, their devotion to the Union, and their common determination that each one of the states, its institutions, its welfare, and its domestic peace, shall be held alike secure under the sacred ægis of the constitution.

This new league of amity and of mutual confidence and support, into which the people of the republic have entered, happily affords inducement and opportunity for the adoption of a more comprehensive and unembarrassed line of policy and action as to the great material interests of the country, whether regarded in themselves or in connection with the powers of the civilized world.

The United States have continued gradually and steadily to expand, through acquisitions of territory, which, how much soever some of them may have been questioned, are now universally seen and admitted to have been wise in policy, just in character, and a great element in the advancement of our country, and, with it, of the human race, in freedom, in prosperity, and in happiness. The thirteen states have grown to be thirty-one, with relations reaching to Europe on the one side, and on the other to the distant realms of Asia.

I am deeply sensible of the immense responsibility which the present magnitude of the republic, and the diversity and multiplicity of its interests, devolve upon me: the alleviation of which, so far as relates to the immediate conduct of the public business is, first, in my reliance on the wisdom and patriotism of the two houses of Congress; and, secondly, in the directions afforded me by the principles of public polity, affirmed by our fathers of the epoch of 1798, sanctioned by long experience, and consecrated anew by the overwhelming voice of the people of the United States.

Recurring to these principles, which constitute the organic basis of

union, we perceive that, vast as are the functions and the duties of the federal government, vested in, or intrusted to, its three great departments, the legislative, executive, and judicial, yet the substantive power, the popular force, and the large capacities for social and material development, exist in the respective states, which, all being of themselves well-constituted republics, as they preceded, so they alone are capable of maintaining and perpetuating, the American Union. The federal government has its appropriate line of action in the specific and limited powers conferred on it by the constitution, chiefly as to those things in which the states have a common interest in their relations to one another, and to foreign governments; while the great mass of interests which belong to cultivated men, the ordinary business of life, the springs of industry, all the diversified personal and domestic affairs of society, rest securely upon the general reserved powers of the people of the several states. There is the effective democracy of the nation, and there the vital essence of its being and its greatness.

Of the practical consequences which flow from the nature of the federal government, the primary one is the duty of administering with integrity and fidelity the high trust reposed in it by the constitution, especially in the application of the public funds, as drawn by taxation from the people, and appropriated to specific objects by Congress. Happily I have no occasion to suggest any radical changes in the financial policy of the government. Ours is almost, if not absolutely, the solitary power of Christendom having a surplus revenue, drawn immediately from imposts on commerce, and therefore measured by the spontaneous enterprise and national prosperity of the country, with such indirect relation to agriculture, manufactures, and the products of the earth and sea, as to violate no constitutional doctrine, and yet vigorously promote the general welfare. Neither as to the sources of the public treasure, nor as to the manner of keeping and managing it, does any grave controversy now prevail, there being a general acquiescence in the wisdom of the present system.

The report of the secretary of the treasury will exhibit, in detail, the state of the public finances, and the condition of the various branches of the public service administered by that department of the government.

The revenue of the country, levied almost insensibly to the tax-payer, goes on from year to year increasing beyond either the interests or the prospective wants of the government.

At the close of the fiscal year ending June 30, 1852, there remained in the treasury a balance of fourteen millions, six hundred and thirty-two thousand, one hundred and thirty-six dollars. The public revenue for the fiscal year ending June 30, 1853, amounted to fifty-eight millions, nine hundred and thirty-one thousand, eight hundred and sixty-five dollars, from customs, and to two millions, four hundred and five thousand, seven hundred and eight dollars, from public lands and other miscellaneous sources, amounting together to sixty-one millions, three hundred and thirty-seven thousand, five hundred and seventy-four dollars; while the public expenditures for the same period, exclusive of payments on account of the public debt, amounted to forty-three millions, five hundred and fifty-four thousand, two hundred and sixty-two dollars; leaving a balance of thirty-two millions, four hundred and twenty-five thousand, four hundred and forty-seven dollars, of receipts above expenditures.

This fact, of increasing surplus in the treasury, became the subject of anxious consideration at a very early period of my administration, and the

path of duty in regard to it seemed to me obvious and clear, namely: first, to apply the surplus revenue to the discharge of the public debt, so far as it could judiciously be done; and, secondly, to devise means for the gradual reduction of the revenue to the standard of the public exigencies.

Of these objects, the first has been in the course of accomplishment, in a manner and to a degree highly satisfactory. The amount of the public debt, of all classes, was, on the fourth of March, 1853, sixty-nine millions, one hundred and ninety thousand and thirty-seven dollars; payments on account of which have been made, since that period, to the amount of twelve millions seven hundred and three thousand, three hundred and twenty-nine dollars, leaving unpaid, and in the continuous course of liquidation, the sum of fifty-six millions, four hundred and eighty-six thousand seven hundred and eight dollars. These payments, although made at the market-price of the respective classes of stocks, have been effected readily, and to the general advantage of the treasury, and have at the same time proved of signal utility in the relief they have incidentally afforded to the money market and to the industrial and commercial pursuits of the country.

The second of the above-mentioned objects, that of the reduction of the tariff, is of great importance, and the plan suggested by the secretary of the treasury, which is to reduce the duties on certain articles, and to add to the free list many articles now taxed, and especially such as enter into manufactures, and are not largely, or at all, produced in the country, is commended to your candid and careful consideration.

You will find in the report of the secretary of the treasury, also, abundant proof of the entire adequacy of the present fiscal system to meet all the requirements of the public service, and that, while properly administered, it operates to the advantage of the community in ordinary business relations.

I respectfully ask your attention to sundry suggestions of improvements in the settlement of accounts, especially as regards the large sums of outstanding arrears due to the government, and of other reforms in the administrative action of his department, which are indicated by the secretary; as also to the progress made in the construction of marine hospitals, customhouses, and of a new mint in California and assay-office in the city of New York, heretofore provided for by Congress; and also to the eminently successful progress of the coast survey, and of the lighthouse board.

Among the objects meriting your attention will be important recommendations from the secretaries of war and navy. I am fully satisfied that the navy of the United States is not in a condition of strength and efficiency commensurate with the magnitude of our commercial and other interests; and commend to your especial attention the suggestions on this subject made by the secretary of the navy. I respectfully submit that the army, which, under our system, must always be regarded with the highest interest, as a nucleus around which the volunteer forces of the nation gather in the hour of danger, requires augmentation, or modification, to adapt it to the present extended limits and frontier relations of the country, and the condition of the Indian tribes in the interior of the continent; the necessity of which will appear in the communications of the secretaries of war and the interior.

In the administration of the postoffice department for the fiscal year

ending June 30, 1853, the gross expenditure was seven millions, nine hundred and eighty-two thousand, seven hundred and fifty-six dollars; and the gross receipts, during the same period, five millions, nine hundred and forty-two thousand, seven hundred and thirty-four dollars; showing that the current revenue failed to meet the current expenses of the department by the sum of two millions, forty-two thousand and thirty-two dollars. The causes which, under the present postal system and laws, led inevitably to this result, are fully explained by the report of the postmaster-general; one great cause being the enormous rates the department has been compelled to pay for mail service rendered by railroad companies.

The exhibit in the report of the postmaster-general of the income and expenditures by mail-steamers will be found peculiarly interesting, and of a character to demand the immediate action of Congress.

Numerous and flagrant frauds upon the pension bureau have been brought to light within the last year, and, in some instances, merited punishments inflicted; but unfortunately, in others, guilty parties have escaped, not through the want of sufficient evidence to warrant a conviction, but in consequence of the provisions of limitation in the existing laws.

From the nature of these claims, the remoteness of the tribunals to pass upon them, and the mode in which the proof is, of necessity, furnished, temptations to crime have been greatly stimulated by the obvious difficulties of detection. The defects in the law upon this subject are so apparent, and so fatal to the ends of justice, that your early action relating to it is most desirable.

During the last fiscal year, nine millions, eight hundred and nineteen thousand, four hundred and eleven acres of the public lands have been surveyed, and ten millions, three hundred and sixty-three thousand, eight hundred and ninety-one acres brought into market. Within the same period, the sales by public purchase and private entry amounted to one million, eighty-three thousand, four hundred and ninety-five acres; located under military bounty land-warrants, six millions, one hundred and forty-two thousand, three hundred and sixty acres; located under other certificates, nine thousand, four hundred and twenty-seven acres; ceded to the states as swamp-lands, sixteen millions, six hundred and eighty-four thousand, two hundred and fifty-three acres; selected for railroad and other objects, under acts of Congress, one million, four hundred and twenty-seven thousand, four hundred and fifty-seven acres. Total amount of lands disposed of within the fiscal year, twenty-five millions, three hundred and forty-six thousand, nine hundred and ninety-two acres; which is an increase in quantity sold, and located under land-warrants and grants, of twelve millions, two hundred and thirty-one thousand, eight hundred and eighteen acres over the fiscal year immediately preceding. The quantity of land sold during the second and third quarters of 1852 was three hundred and thirty-four thousand, four hundred and fifty-one acres. The amount received therefor was six hundred and twenty-three thousand, six hundred and eighty-seven dollars. The quantity sold the second and third quarters of the year 1853 was one million, six hundred and nine thousand, nine hundred and nineteen acres; and the amount received therefor, two millions, two hundred and twenty-six thousand, eight hundred and seventy-six dollars.

The whole number of land-warrants issued under existing laws, prior to the 30th of September last, was two hundred and sixty-six thousand and forty-two; of which there were outstanding, at that date, sixty-six

thousand, nine hundred and forty-seven. The quantity of land required to satisfy these outstanding warrants is four millions, seven hundred and seventy-eight thousand, one hundred and twenty acres.

Warrants have been issued to 30th of September last, under the act of 11th February, 1847, calling for twelve millions, eight hundred and seventy-nine thousand, two hundred and eighty acres; under acts of September 28, 1850, and March 22, 1852, calling for twelve millions, five hundred and five thousand, three hundred and sixty acres; making a total of twenty-five millions, three hundred and eighty-four thousand, six hundred and forty acres.

It is believed that experience has verified the wisdom and justice of the present system, with regard to the public domain, in most essential particulars.

You will perceive, from the report of the secretary of the interior, that opinions, which have often been expressed in relation to the operation of the land system, as not being a source of revenue to the federal treasury, were erroneous. The net profits from the sale of the public lands to June 30, 1853, amounted to the sum of fifty-three millions, two hundred and eighty-nine thousand, four hundred and sixty-five dollars.

I recommend the extension of the land-system over the territories of Utah and New Mexico, with such modifications as their peculiarities may require.

Regarding our public domain as chiefly valuable to provide homes for the industrious and enterprising, I am not prepared to recommend any essential change in the land-system, except by modifications in favor of the actual settler, and an extension of the pre-emption principle in certain cases, for reasons, and on grounds, which will be fully developed in the reports to be laid before you.

Congress, representing the proprietors of the territorial domain, and charged especially with power to dispose of territory belonging to the United States, has for a long course of years, beginning with the administration of Mr. Jefferson, exercised the power to construct roads within the territories; and there are so many and obvious distinctions between this exercise of power and that of making roads within the states, that the former has never been considered subject to such objections as apply to the latter, and such may now be considered the settled construction of the power of the federal government upon the subject.

Numerous applications have been, and no doubt will continue to be, made for grants of land, in aid of the construction of railways. It is not believed to be within the intent and meaning of the constitution, that the power to dispose of the public domain should be used otherwise than might be expected from a prudent proprietor, and therefore that grants of land, to aid in the construction of roads, should be restricted to cases where it would be for the interest of a proprietor, under like circumstances, thus to contribute to the construction of these works. For the practical operation of such grants thus far, in advancing the interests of the states in which the works are located, and at the same time the substantial interests of all the other states, by enhancing the value and promoting the rapid sale of the public domain, I refer you to the report of the secretary of the interior. A careful examination, however, will show that this experience is the result of a just discrimination, and will be far from affording encouragement to a reckless or indiscriminate extension of the principle.

I commend to your favorable consideration the men of genius of our country, who, by their inventions and discoveries in science and art, have contributed largely to the improvements of the age, without, in many instances, securing for themselves anything like an adequate reward. For many interesting details upon this subject, I refer you to the appropriate reports, and especially urge upon your early attention the apparently slight, but really important modifications of existing laws therein suggested.

The liberal spirit which has so long marked the action of Congress in relation to the District of Columbia, will, I have no doubt, continue to be manifested.

The erection of an asylum for the insane of the District of Columbia, and of the army and navy of the United States, has been somewhat retarded, by the great demand for materials and labor during the past summer; but full preparation for the reception of patients, before the return of another winter, is anticipated; and there is the best reason to believe, from the plan and contemplated arrangements which have been devised, with the large experience furnished within the last few years in relation to the nature and treatment of the disease, that it will prove an asylum indeed to this most helpless and afflicted class of sufferers, and stand as a noble monument of wisdom and mercy.

Under the acts of Congress of August 31, 1852, and of March 3, 1853, designed to secure for the cities of Washington and Georgetown an abundant supply of good and wholesome water, it became my duty to examine the report and plans of the engineer who had charge of the surveys under the act first named. The best, if not the only plan calculated to secure permanently the object sought, was that which contemplates taking the water from the Great Falls of the Potomac, and, consequently, I gave to it my approval. For the progress and present condition of this important work, and for its demands, so far as appropriations are concerned, I refer you to the report of the secretary of war.

The present judicial system of the United States has now been in operation for so long a period of time, and has, in its general theory and much of its details, become so familiar to the country, and acquired so entirely the public confidence, that if modified in any respect, it should only be in those particulars which may adapt it to the increased extent, population, and legal business of the United States. In this relation, the organization of the courts is now confessedly inadequate to the duties to be performed by them; in consequence of which, the states of Florida, Wisconsin, Iowa, Texas, and California, and districts of other states, are in effect excluded from the full benefits of the general system, by the functions of the circuit court being devolved on the district judges in all those states or parts of states.

The spirit of the constitution and a due regard to justice require that all the states of the Union should be placed on the same footing in regard to the judicial tribunals. I therefore commend to your consideration this important subject, which, in my judgment, demands the speedy action of Congress. I will present to you, if deemed desirable, a plan, which I am prepared to recommend, for the enlargement and modification of the present judicial system.

The act of Congress establishing the Smithsonian institution provided that the president of the United States, and other persons therein designated, should constitute an "establishment" by that name, and that the

members should hold stated and special meetings for the supervision of the affairs of the institution. The organization not having taken place, it seemed to me proper that it should be effected without delay. This has been done; and an occasion was thereby presented for inspecting the condition of the institution, and appreciating its successful progress thus far, and its high promise of great and general usefulness.

I have omitted to ask your favorable consideration for the estimates of works of a local character in twenty-seven of the thirty-one states, amounting to one million, seven hundred and fifty-four thousand, five hundred dollars, because, independently of the grounds which have so often been urged against the application of the federal revenue for works of this character, inequality with consequent injustice is inherent in the nature of the proposition, and because the plan has proved entirely inadequate to the accomplishment of the objects sought.

The subject of internal improvements, claiming alike the interest and good-will of all, has nevertheless been the basis of much political discussion, and has stood as a deep-graven line of division between statesmen of eminent ability and patriotism. The rule of strict construction of all powers delegated by the states to the general government has arrayed itself, from time to time, against the rapid progress of expenditures from the national treasury on works of a local character within the states. Memorable as an epoch in the history of this subject is the message of President Jackson, of the 27th of May, 1830, which met the system of internal improvements in its comparative infancy; but so rapid had been its growth, that the projected appropriations in that year for works of this character had risen to the alarming amount of more than one hundred millions of dollars.

In that message the president admitted the difficulty of bringing back the operations of the government to the construction of the constitution set up in 1798, and marked it as an admonitory proof of the necessity of guarding that instrument with sleepless vigilance against the authority of precedents, which had not the sanction of its most plainly-defined powers.

Our government exists under a written compact between sovereign states, uniting for specific objects, and with specific grants to their general agent. If, then, in the progress of its administration, there have been departures from the terms and intent of the compact, it is, and will ever be, proper to refer back to the fixed standard which our fathers left us, and to make a stern effort to conform our action to it. It would seem that the fact of a principle having been resisted from the first by many of the wisest and most patriotic men of the republic, and a policy having provoked constant strife, without arriving at a conclusion which can be regarded as satisfactory to its most earnest advocates, should suggest the inquiry whether there may not be a plan likely to be crowned by happier results. Without perceiving any sound distinction, or intending to assert any principle as opposed to improvements needed for the protection of internal commerce, which does not equally apply to improvements upon the seaboard for the protection of foreign commerce, I submit to you whether it may not be safely anticipated that, if the policy were once settled against appropriations by the general government for local improvements for the benefit of commerce, localities requiring expenditures would not, by modes and means clearly legitimate and proper, raise the fund necessary for such constructions as the safety or other interests of their commerce might require.

If that can be regarded as a system which, in the experience of more than thirty years, has at no time so commanded the public judgment as to give it the character of a settled policy—which, though it has produced some works of conceded importance, has been attended with an expenditure quite disproportionate to their value, and has resulted in squandering large sums upon objects which have answered no valuable purpose—the interests of all the states require it to be abandoned, unless hopes may be indulged for the future which find no warrant in the past.

With an anxious desire for the completion of the works which are regarded by all good citizens with sincere interest, I have deemed it my duty to ask at your hands a deliberate reconsideration of the question, with a hope that, animated by a desire to promote the permanent and substantial interests of the country, your wisdom may prove equal to the task of devising and maturing a plan, which, applied to this subject, may promise something better than constant strife, the suspension of the powers of local enterprise, the exciting of vain hopes, and the disappointment of cherished expectations.

In expending the appropriations made by the last Congress, several cases have arisen in relation to works for the improvement of harbors, which involve question as to the right of soil and jurisdiction, and have threatened conflict between the authority of the state and general governments. The right to construct a breakwater, jetty, or dam, would seem, necessarily, to carry with it the power to protect and preserve such constructions. This can only be effectually done by having jurisdiction over the soil. But no clause of the constitution is found, on which to rest the claim of the United States to exercise jurisdiction over the soil of a state, except that conferred by the eighth section of the first article of the constitution. It is, then, submitted, whether, in all cases where constructions are to be erected by the general government, the right of soil should not first be obtained, and legislative provision be made to cover all such cases.

For the progress made in the construction of roads within the territories, as provided for in the appropriations of the last Congress, I refer you to the report of the secretary of war.

There is one subject of a domestic nature, which, from its intrinsic importance and the many interesting questions of future policy which it involves, can not fail to receive your early attention. I allude to the means of communication by which different parts of the wide expanse of our country are to be placed in closer connection for purposes of both defence and commercial intercourse, and more especially such as appertain to the communication of those great divisions of the Union which lie on the opposite sides of the Rocky mountains.

That the government has not been unmindful of this heretofore, is apparent from the aid it has afforded, through appropriations for mail facilities and other purposes. But the general subject will now present itself under aspects more imposing and more purely national, by reason of the surveys ordered by Congress, and now in the process of completion, for communication by railway across the continent, and wholly within the limits of the United States.

The power to declare war, to raise and support armies, to provide and maintain a navy, and to call forth the militia to execute the laws, suppress insurrections and repel invasions, was conferred upon Congress, as means to provide for the common defence, and to protect a territory and

a population now widespread and vastly multiplied. As incidental to, and indispensable for, the exercise of this power, it must sometimes be necessary to construct military roads and protect harbors of refuge. To appropriations by Congress for such objects, no sound objection can be raised. Happily for our country, its peaceful policy and rapidly-increasing population impose upon us no urgent necessity for preparation, and leave but few trackless deserts between assailable points and a patriotic people ever ready and generally able to protect them. These necessary links, the enterprise and energy of our people are steadily and boldly struggling to supply. All experience affirms that, wherever private enterprise will avail, it is most wise for the general government to leave to that and individual watchfulness the location and execution of all means of communication.

The surveys before alluded to were designed to ascertain the most practicable and economical route for a railroad from the river Mississippi to the Pacific ocean. Parties are now in the field making explorations, where previous examinations had not supplied sufficient data, and where there was the best reason to hope the object sought might be found. The means and time of both being limited, it is not to be expected that all the accurate knowledge desired will be obtained, but it is hoped that much and important information will be added to the stock previously possessed, and that partial, if not full, reports of the surveys ordered will be received in time for transmission to the two houses of Congress, on or before the first Monday in February next, as required by the act of appropriation. The magnitude of the enterprise contemplated has aroused, and will doubtless continue to excite, a very general interest throughout the country. In its political, its commercial, and its military bearings, it has varied, great, and increasing claims to consideration. The heavy expense, the great delay, and, at times, fatality, attending travel by either of the isthmus routes, have demonstrated the advantages which would result from inter-territorial communication by such safe and rapid means as a railroad would supply.

These difficulties, which have been encountered in a period of peace, would be magnified and still further increased in time of war. But, while the embarrassments already encountered, and others under new contingencies to be anticipated, may serve strikingly to exhibit the importance of such a work, neither these nor all considerations combined can have an appreciable value, when weighed against the obligation strictly to adhere to the constitution, and faithfully to execute the powers it confers. Within this limit, and to the extent of the interest of the government involved, it would seem both expedient and proper, if an economical and practicable route shall be found, to aid, by all constitutional means, in the construction of a road which will unite, by a speedy transit, the populations of the Pacific and Atlantic states. To guard against misconception, it should be remarked, that although the power to construct, or aid in the construction of, a road within the limits of a territory is not embarrassed by that question of jurisdiction which would arise within the limits of a state, it is nevertheless held to be of doubtful power and more than doubtful propriety, even within the limits of a territory, for the general government to undertake to administer the affairs of a railroad, a canal, or other similar construction, and, therefore, that its connection with a work of this character should be incidental rather than primary. I will only add, at present, that, fully appreciating the magni-

tude of the subject, and solicitous that the Atlantic and Pacific shores of the republic may be bound together by inseparable ties of common interest, as well as of common fealty and attachment to the Union, I shall be disposed, so far as my own action is concerned, to follow the lights of the constitution, as expounded and illustrated by those whose opinions and expositions constitute the standard of my political faith in regard to the powers of the federal government. It is, I trust, not necessary to say, that no grandeur of enterprise, and no present urgent inducement promising popular favor, will lead me to disregard those lights, or to depart from that path which experience has proved to be safe, and which is now radiant with the glow of prosperity and legitimate constitutional progress. We can afford to wait, but we can not afford to overlook the ark of our security.

It is no part of my purpose to give prominence to any subject which may properly be regarded as set at rest by the deliberate judgment of the people. But while the present is bright with promise, and the future full of demand and inducement for the exercise of active intelligence, the past can never be without useful lessons of admonition and instruction. If its dangers serve not as beacons, they will evidently fail to fulfil the object of a wise design. When the grave shall have closed over all who are now endeavoring to meet the obligations of duty, the year 1850 will be recurred to as a period filled with anxious apprehension. A successful war had just terminated. Peace brought with it a vast augmentation of territory. Disturbing questions arose, bearing upon the domestic institutions of one portion of the confederacy, and involving the constitutional rights of the states. But, notwithstanding differences of opinion and sentiment which then existed in relation to details and specific provisions, the acquiescence of distinguished citizens, whose devotion to the Union can never be doubted, has given renewed vigor to our institutions, and restored a sense of repose and security to the public mind throughout the confederacy. That this repose is to suffer no shock during my official term, if I have power to avert it, those who placed me here may be assured. The wisdom of men, who knew what independence cost—who had put all at stake upon the issue of the revolutionary struggle—disposed of the subject to which I refer, in the only way consistent with the union of these states, and with the march of power and prosperity which has made us what we are. It is a significant fact, that from the adoption of the constitution until the officers and soldiers of the Revolution had passed to their graves, or, through the infirmities of age and wounds, had ceased to participate actively in public affairs, there was not merely a quiet acquiescence in, but a prompt vindication of, the constitutional rights of the states. The reserved powers were scrupulously respected. No statesman put forth the narrow views of casuists to justify interference and agitation, but the spirit of the compact was regarded as sacred in the eye of honor, and indispensable for the great experiment of civil liberty, which, environed by inherent difficulties, was yet borne forward in apparent weakness by a power superior to all obstacles. There is no condemnation which the voice of freedom will not pronounce upon us, should we prove faithless to this great trust. While men inhabiting different parts of this vast continent can no more be expected to hold the same opinions, or entertain the same sentiments, than every variety of climate or soil can be expected to furnish the same agricultural products, they can unite in a common object and sustain common principles essential to the

maintenance of that object. The gallant men of the south and the north could stand together during the struggle of the Revolution; they could stand together in the more trying period which succeeded the clangor of arms. As their united valor was adequate to all the trials of the camp and dangers of the field, so their united wisdom proved equal to the greater task of founding, upon a deep and broad basis, institutions which it has been our privilege to enjoy, and will ever be our most sacred duty to sustain. It is but the feeble expression of a faith strong and universal, to say that their sons, whose blood mingled so often upon the same field, during the war of 1812, and who have more recently borne in triumph the flag of the country upon a foreign soil, will never permit alienation of feeling to weaken the power of their united efforts, nor internal dissensions to paralyze the great arm of freedom, uplifted for the vindication of self-government.

I have thus briefly presented such suggestions as seem to me especially worthy of your consideration. In providing for the present, you can hardly fail to avail yourselves of the light which the experience of the past casts upon the future.

The growth of our population has now brought us, in the destined career of our national history, to a point at which it well behooves us to expand our vision over the vast prospective.

The successive decennial returns of the census since the adoption of the constitution have revealed a law of steady progressive development, which may be stated, in general terms, as a duplication every quarter-century. Carried forward, from the point already reached, for only a short period of time as applicable to the existence of a nation, this law of progress, if unchecked, will bring us to almost incredible results. A large allowance for a diminished proportional effect of emigration would not very materially reduce the estimate, while the increased average duration of human life, known to have already resulted from the scientific and hygienic improvements of the past fifty years, will tend to keep up through the next fifty, or perhaps hundred, the same ratio of growth, which has been thus revealed in our past progress; and to the influence of these causes may be added the influx of laboring masses from eastern Asia to the Pacific side of our possessions, together with the probable accession of the populations already existing in other parts of our hemisphere, which, within the period in question, will feel, with yearly-increasing force, the natural attraction of so vast, powerful, and prosperous a confederation of self-governing republics, and will seek the privilege of being admitted within its safe and happy bosom, transferring with themselves, by a peaceful and healthy process of incorporation, spacious regions of virgin and exuberant soil, which are destined to swarm with the fast-growing and fast-spreading millions of our race.

These considerations seem fully to justify the presumption, that the law of population above stated will continue to act with undiminished effect, through at least the next half-century; and that thousands of persons who have already arrived at maturity, and are now exercising the rights of freemen, will close their eyes on the spectacle of more than one hundred millions of population embraced within the majestic proportions of the American Union. It is not merely as an interesting topic of speculation that I present these views for your consideration. They have important practical bearings upon all the political duties we are called upon to perform. Heretofore, our system of government has

worked on what may be termed a miniature scale, in comparison with the development, which it must thus assume, within a future so near at hand, as scarcely to be beyond the present of the existing generation.

It is evident that a confederation so vast and so varied, both in numbers and in territorial extent, in habits and in interest, could only be kept in national cohesion by the strictest fidelity to the principles of the constitution, as understood by those who have adhered to the most restricted construction of the powers granted by the people and the states. Interpreted and applied according to those principles, the great compact adapts itself, with healthy ease and freedom, to an unlimited extension of that benign system of federative self-government, of which it is our glorious, and, I trust, immortal charter. Let us, then, with redoubled vigilance, be on our guard against yielding to the temptation of the exercise of doubtful powers, even under the pressure of the motives of conceded temporary advantage and apparent temporary expediency.

The minimum of federal government, compatible with the maintenance of national unity and efficient action in our relations with the rest of the world, should afford the rule and measure of construction of our powers under the general clauses of the constitution. A spirit of strict deference to the sovereign rights and dignity of every state, rather than a disposition to subordinate the states into a provincial relation to the central authority, should characterize all our exercise of the respective powers temporarily vested in us as a sacred trust from the generous confidence of our constituents.

In like manner, as a manifestly indispensable condition of the perpetuation of the Union, and of the realization of that magnificent national future adverted to, does the duty become yearly stronger and clearer upon us, as citizens of the several states, to cultivate a fraternal and affectionate spirit, language, and conduct, in regard to other states, and in relation to the varied interests, institutions, and habits of sentiment and opinion, which may respectively characterize them. Mutual forbearance, respect, and non-interference in our personal action as citizens, and an enlarged exercise of the most liberal principles of comity in the public dealings of state with state, whether in legislation or in the execution of laws, are the means to perpetuate that confidence and fraternity, the decay of which a mere political union, on so vast a scale, could not long survive.

In still another point of view, is an important practical duty suggested by this consideration of the magnitude of dimensions to which our political system, with its corresponding machinery of government, is so rapidly expanding. With increased vigilance does it require us to cultivate the cardinal virtues of public frugality and official integrity and purity. Public affairs ought to be so conducted that a settled conviction shall pervade the entire Union, that nothing short of the highest tone and standard of public morality marks every part of the administration and legislation of the general government. Thus will the federal system, whatever expansion time and progress may give it, continue more and more deeply rooted in the love and confidence of the people.

That wise economy which is as far removed from parsimony as from corrupt and corrupting extravagance—that single regard for the public good which will frown upon all attempts to approach the treasury with insidious projects of private interest cloaked under public pretexts—that sound fiscal administration, which, in the legislative department, guards against the dangerous temptations incident to overflowing revenue, and, in

the executive, maintains an unsleeping watchfulness against the tendency of all national expenditure to extravagance,—while they are admitted elementary political duties, may, I trust, be deemed as properly adverted to and urged, in view of the more impressive sense of that necessity, which is directly suggested by the considerations now presented.

Since the adjournment of Congress, the vice-president of the United States has passed from the scenes of earth, without having entered upon the duties of the station, to which he has been called by the voice of his countrymen. . Having occupied, almost continuously, for more than thirty years, a seat in one or the other of the two houses of Congress, and having, by his singular purity and wisdom, secured unbounded confidence and universal respect, his failing health was watched by the nation with painful solicitude. His loss to the country, under all the circumstances, has been justly regarded as irreparable.

In compliance with the act of Congress of March 2, 1853, the oath of office was administered to him on the 24th of that month, at Ariadne estate, near Matanzas, in the island of Cuba; but his strength gradually declined, and was hardly sufficient to enable him to return to his home in Alabama, where, on the 18th day of April, in the most calm and peaceful way, his long and eminently useful career was terminated.

Entertaining unlimited confidence in your intelligent and patriotic devotion to the public interest, and being conscious of no motives on my part which are not inseparable from the honor and advancement of my country, I hope it may be my privilege to deserve and secure, not only your cordial co-operation in great public measures, but also those relations of mutual confidence and regard which it is always so desirable to cultivate between members of co-ordinate branches of the government.

SPECIAL MESSAGE.

DECEMBER 12, 1853.

To the Senate of the United States:—

IN answer to the resolutions of the senate of the 17th of August, 1852, and 23d of February last, requesting a copy of correspondence relative to the claim on the government of Portugal, in the case of the brig General Armstrong, I transmit a report from the secretary of state, to whose department the resolutions were referred.

SPECIAL MESSAGE.

DECEMBER 19, 1853.

To the Senate of the United States:—

I TRANSMIT certain documents in answer to the resolution of the senate of the 6th of April, ultimo, requesting information in regard to transactions between Captain Hollins, of the "Cyane," and the authorities at San Juan de Nicaragua.

GADSDEN TREATY MESSAGE.

FEBRUARY 10, 1854.

To the Senate of the United States :—

I TRANSMIT to the senate, for its consideration with a view to ratification, a treaty between the United States of America and the Mexican republic, signed by the plenipotentiaries of the parties in the city of Mexico, on the 13th day of December last. Certain amendments are proposed to the instrument, as hereinafter specified, viz. : in order to make the duties and obligations stipulated in the second article reciprocal, it is proposed to add to that article the following :—

"And the government of Mexico agrees that the stipulations contained in this article, to be performed by the United States, shall be reciprocal; and Mexico shall be under like obligations to the United States and the citizens thereof, as those hereinabove imposed upon the latter in favor of the republic of Mexico and Mexican citizens."

It is also recommended, that for the third article of the original treaty, the following shall be adopted as a substitute :—

"In consideration of the grants received by the United States, and the obligations relinquished by the Mexican republic pursuant to this treaty, the former agree to pay to the latter the sum of fifteen millions of dollars, in gold or silver coin, at the treasury at Washington: one fifth of the amount on the ratification of the present treaty at Washington, and the remaining four fifths in monthly instalments of three millions each, with interest at the rate of six per cent. per annum, until the whole be paid; the government of the United States reserving the right to pay up the whole sum of fifteen millions at an earlier date, as may be to it convenient. The United States also agree to assume all the claims of the citizens against the Mexican republic, which may have arisen under the treaty or the law of nations since the date of the signature of the treaty of Guadalupe. And the Mexican republic agrees to exonerate the United States of America from all claims of Mexico or Mexican citizens which may have arisen under the treaty of Guadalupe, so that each government, in the most formal and effective manner, shall be exempted and exonerated of all such obligations to each other respectively."

I also recommend that the eighth article be modified by striking out all after the word "attempts," in the twenty-third line of that article. The part to be omitted is to be as follows :—

"They mutually and especially obligate themselves, in all cases of such lawless enterprises, which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, on due notice being given by the aggrieved party of aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons, and meet with the merited retribution inflicted by the law of nations against all such disturbers of the peace and happiness of contiguous and friendly powers; it being understood, that in all cases of successful pursuit and capture, the delinquent so captured shall be judged and punished by the government of that nation to which the vessel capturing them may belong, conformably to the laws of each nation."

At the close of the instrument, it will also be advisable to substitute seventy-eighth for seventy-seventh year of the independence of the United States.

SPECIAL MESSAGE.

FEBRUARY 10, 1854.

To the Senate and House of Representatives :—

I HEREWITH transmit a communication from the secretary of the navy, accompanied by the second part of Lieutenant Herndon's report of the exploration of the valley of the Amazon and its tributaries, made by him in connection with Lieutenant Lardner Gibbon, under instructions from the navy department.

SPECIAL MESSAGE.

MARCH 1, 1854.

To the House of Representatives :—

IN accordance with the resolution of the house of representatives of the 13th instant, requesting information respecting negotiations with Peru for the removal of restrictions upon the exportation of guano, I transmit herewith a report from the secretary of state, with the correspondence therein referred to.

SPECIAL MESSAGE.

MARCH 1, 1854.

To the House of Representatives :—

I TRANSMIT herewith a report of the attorney-general, in answer to the resolutions of the house of the 22d of December, requesting me to communicate to the house the plan for the modification and enlargement of the judicial system of the United States recommended in my annual message to Congress.

SPECIAL MESSAGE.

MARCH 15, 1854.

To the House of Representatives :

IN compliance with the resolution of the house of representatives of the 10th instant, I herewith transmit a report of the secretary of state, containing all the information received at the department in relation to the seizure of the Black Warrior, at Havana, on the 28th ultimo.

There have been, in the course of a few years past, many other instances of aggression upon our commerce, violations of the rights of American citizens, and insults to the national flag, by the Spanish authorities in Cuba, and all attempts to obtain redress have led to protracted, and as yet fruitless negotiations.

The documents in these cases are voluminous, and, when prepared, will be sent to Congress.

Those now transmitted relate exclusively to the seizure of the "Black Warrior," and present so clear a case of wrong, that it would be reasonable to expect full indemnity therefor, as soon as this unjustifiable and offensive conduct shall be made known to her catholic majesty's government; but similar expectations, in other cases, have not been realized.

The offending party is at our doors, with large powers for aggression, but none, it is alleged, for reparation. The source of redress is in another hemisphere; and the answers to our just complaints, made to the home government, are but the repetition of excuses rendered by inferior officials to their superiors, in reply to representations of misconduct. The peculiar situation of the parties has, undoubtedly, much aggravated the annoyances and injuries which our citizens have suffered from the Cuban authorities, and Spain does not seem to appreciate, to its full extent, her responsibility for the conduct of these authorities. In giving very extraordinary powers to them, she owes it to justice, and to her friendly relations with this government, to guard with great vigilance against the exorbitant exercise of these powers, and, in case of injuries, to provide for prompt redress.

I have already taken measures to present to the government of Spain the wanton injury of the Cuban authorities, in the detention and seizure of the "Black Warrior," and to demand immediate indemnity for the injury which has thereby resulted to our citizens.

In view of the position of the island of Cuba, its proximity to our coast, the relations which it must ever bear to our commercial and other interests, it is vain to expect that a series of unfriendly acts infringing our commercial rights, and the adoption of a policy threatening the honor and security of these states, can long consist with peaceful relations.

In case the measures taken for amicable adjustment of our difficulties with Spain should unfortunately fail, I shall not hesitate to use the authority and means which Congress may grant, to insure the observance of our just rights, to obtain redress for injuries received, and to vindicate the honor of our flag.

In anticipation of that contingency, which I earnestly hope may not arise, I suggest to Congress the propriety of adopting such provisional measures as the exigency may seem to demand.

INDIGENT INSANE LAND-BILL VETO.

MAY 3, 1854.

To the Senate of the United States:—

THE bill entitled "An act making a grant of public lands to the several states for the benefit of indigent insane persons," which was presented to me on the 27th ultimo, has been maturely considered, and is returned to the senate, the house in which it originated, with a statement of the objections which have required me to withhold from it my approval.

In the performance of this duty prescribed by the constitution, I have been compelled to resist the deep sympathies of my own heart in favor of the humane purpose sought to be accomplished, and to overcome the reluctance with which I dissent from the conclusions of the two houses of Congress, and present my own opinions in opposition to the action of a co-ordinate branch of the government, which possesses so fully my confidence and respect.

If, in presenting my objections to this bill, I should say more than strictly belongs to the measure, or is required for the discharge of my official obligation, let it be attributed to a sincere desire to justify my act before those whose good opinion I so highly value, and to that earnestness which springs from my deliberate conviction, that a strict adherence to the terms and purposes of the federal compact offers the best, if not the only, security for the preservation of our blessed inheritance of representative liberty.

The bill provides, in substance:—

First. That ten millions of acres of land be granted to the several states, to be apportioned among them in the compound ratio of the geographical area, and representation of said states in the house of representatives.

Second. That wherever there are public lands in a state subject to sale at the regular price of private entry, the proportion of said ten millions of acres falling to such state shall be selected from such lands within it; and that to the states in which there are no such public lands, land scrip shall be issued to the amount of their distributive shares, respectively; said scrip not to be entered by said states, but to be sold by them, and subject to entry by their assignees, provided that none of it shall be sold at less than one dollar per acre, under penalty of forfeiture of the same to the United States.

Third. That the expenses of the management and superintendence of said lands, and of the moneys received therefrom, shall be paid by the states to which they may belong, out of the treasury of said states.

Fourth. That the gross proceeds of the sales of such lands, or scrip so granted, shall be invested by the several states in safe stocks, to constitute a perpetual fund, the principal of which shall remain forever undiminished, and the interest to be appropriated to the maintenance of the indigent insane within the several states.

Fifth. That annual returns of lands or scrip sold shall be made by the states to the secretary of the interior, and the whole grant be subject to certain conditions and limitations prescribed in the bill, to be assented to by legislative acts of said states.

This bill, therefore, proposes that the federal government shall make provision to the amount of the value of ten millions of acres of land, for an eleemosynary object within the several states, to be administered by the political authority of the same ; and it presents at the threshold the question, whether any such act, on the part of the federal government, is warranted and sanctioned by the constitution, the provisions and principles of which are to be protected and sustained as a first and paramount duty.

It can not be questioned that if Congress have power to make provision for the indigent insane without the limits of this district, it has the same power to provide for the indigent who are not insane ; and thus to transfer to the federal government the charge of all the poor in all the states. It has the same power to provide hospitals and other local establishments for the care and cure of every species of human infirmity, and thus to assume all that duty of either public philanthropy, or public necessity to the dependent, the orphan, the sick, or the needy, which is now discharged by the states themselves, or by corporate institutions, or private endowments existing under the legislation of the states. The whole field of public beneficence is thrown open to the care and culture of the federal government. Generous impulses no longer encounter the limitations and control of our imperious fundamental law. For, however worthy may be the present object in itself, it is only one of a class. It is not exclusively worthy of benevolent regard. Whatever considerations dictate sympathy for this particular object, apply in like manner, if not in the same degree, to idiocy, to physical disease, to extreme destitution. If Congress may and ought to provide for any one of these objects, it may and ought to provide for them all. And if it be done in this case, what answer shall be given, when Congress shall be called upon, as it doubtless will be, to pursue a similar course of legislation in the others ? It will, obviously, be vain to reply that the object is worthy, but that the application has taken a wrong direction.

The power will have been deliberatively assumed ; the general obligation will, by this act, have been acknowledged ; and the question of means and expediency will alone be left for consideration. The decision upon the principle, in any one case, determines it for the whole class. The question presented, therefore, clearly is upon the constitutionality and propriety of the federal government assuming to enter into a novel and vast field of legislation, namely, that of providing for the care and support of all those, among the people of the United States, who, by any form of calamity, become fit objects of public philanthropy.

I readily, and I trust feelingly, acknowledge the duty incumbent on us all, as men and citizens, and as among the highest and holiest of our duties, to provide for those who, in the mysterious order of Providence, are subject to want and to disease of body or mind ; but I can not find any authority in the constitution for making the federal government the great almoner of public charity throughout the United States. To do so, would, in my judgment, be contrary to the letter and spirit of the constitution, and subversive of the whole theory upon which the Union of these states is founded. And if it were admissible to contemplate the exercise of this power, for any object whatever, I can not avoid the belief that it would, in the end, be prejudicial, rather than beneficial, to the noble offices of charity, to have the charge of them transferred from the states to the federal government. Are we not too prone to forget that the fed-

eral Union is the creature of the states, not they of the federal Union ? We were the inhabitants of colonies distinct in local government, one from the other, before the Revolution. By that Revolution the colonies each became an independent state. They achieved that independence, and secured its recognition by the agency of a consulting body, which, from being an assembly of the ministers of distinct sovereignties, instructed to agree to no form of government which did not leave the domestic concerns of each state to itself, was appropriately denominated a Congress. When, having tried the experiment of the confederation, they resolved to change that for the present federal Union, and thus to confer on the federal government more ample authority, they scrupulously measured such of the functions of their cherished sovereignty as they chose to delegate to the general government. With this aim, and to this end, the fathers of the republic framed the constitution, in and by which the independent and sovereign states united themselves, for certain specified objects and purposes, and for those only, leaving all powers not therein set forth as conferred on one or another of the three great departments, the legislative, the executive, and the judicial, indubitably with the states. And when the people of the several states had in their state conventions, and thus alone, given effect and force to the constitution, not content that any doubt should, in future, arise as to the scope and character of this act, they engrafted thereon the explicit declaration that—

“The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”

Can it be controverted that the great mass of the business of government that involved, in the social relations, the internal arrangements of the body politic ; the mental and moral culture of men ; the development of local resources of wealth ; the punishment of crimes in general ; the preservation of order ; the relief of the needy, or otherwise unfortunate members of society, did, in practice, remain with the states ; that none of these objects of local concern are, by the constitution, expressly or impliedly prohibited to the states, and that none of them are, by any express language of the constitution, transferred to the United States ? Can it be claimed that any of these functions of local administration and legislation are vested in the federal government by any implication ? I have never found anything in the constitution which is susceptible of such a construction. No one of the enumerated powers touches the subject, or has even a remote analogy to it. The powers conferred upon the United States have reference to federal relations, or to the means of accomplishing or executing things of federal relation. So, also, of the same character are the powers taken away from the states by enumeration. In either case, the powers granted and the powers restricted were so granted, or so restricted, only where it was requisite for the maintenance of peace and harmony between the states, or for the purpose of protecting their common interests, and defending their common sovereignty, against aggression from abroad or insurrection at home.

I shall not discuss the question of power sometimes claimed for the general government, under the clause of the eighth section of the constitution, which gives Congress the power “to lay and collect taxes, duties, imposts, and excises, to pay debts, and provide for the common defence and general welfare of the United States,” because if it has not already been settled upon sound reason and authority, it never will be. I take

the received and just construction of that article, as if written to lay and collect taxes, duties, imposts, and excises, *in order* to pay the debts, and *in order* to provide for the common defence and general welfare. It is not a substantive general power to provide for the welfare of the United States, but is a limitation on the grant of power to raise money by taxes, duties, and imposts. If it were otherwise, all the rest of the constitution, consisting of carefully-enumerated and cautiously-guarded grants of specific powers, would have been useless, if not delusive. It would be impossible, in that view, to escape from the conclusion, that these were inserted only to mislead for the present, and, instead of enlightening and defining the pathway of the future, to involve its action in the mazes of doubtful construction. Such a conclusion the character of the men who framed that sacred instrument will never permit us to form. Indeed, to suppose it susceptible of any other construction would be to consign all the rights of the states, and of the people of the states, to the mere discretion of Congress, and thus to clothe the federal government with authority to control the sovereign states, by which the states would have been dwarfed into provinces or departments, and all sovereignty vested in an absolute consolidated central power, against which the spirit of liberty has so often, and in so many countries, struggled in vain. In my judgment, you can not, by tributes to humanity, make any adequate compensation for the wrong you would inflict by removing the sources of power and political action from those who are to be thereby affected. If the time shall ever arrive when, for an object appealing however strongly to our sympathies, the dignity of the states shall bow to the dictation of Congress, by conforming their legislation thereto, when the power, and majesty, and honor of those who created shall become subordinate to the thing of their creation, I but feebly utter my apprehension when I express my firm conviction that we shall see "the beginning of the end."

Fortunately, we are not left in doubt as to the purpose of the constitution, any more than as to its express language, for, although the history of its formation, as recorded in the Madison papers, shows that the federal government, in its present form, emerged from the conflict of opposing influences, which have continued to divide statesmen from that day to this, yet the rule of clearly-defined powers, and of strict construction, presided over the actual conclusion and subsequent adoption of the constitution.

President Madison, in the *Federalist*, says: "The powers delegated by the proposed constitution to the federal government are few and defined. Those which are to remain in the state governments are numerous and indefinite. Its" (the general government's) "jurisdiction extends to certain enumerated objects only, and leaves to the several states a residuary and inviolable sovereignty over all other objects."

In the same spirit, President Jefferson invokes "the support of the state governments in all their rights as the most competent administrations for our domestic concerns, and the surest bulwark against anti-republican tendencies;" and President Jackson said that our true strength and wisdom are not promoted by invasions of the rights and powers of the several states, but that, on the contrary, they consist "not in binding the states more closely to the centre, but in leaving each more unobstructed in its proper orbit."

The framers of the constitution, in refusing to confer on the federal government any jurisdiction over these purely local objects, in my judg-

ment, manifested a wise forecast and broad comprehension of the true interests of these objects themselves. It is clear that public charities within the states can be efficiently administered only by their authority. The bill before me concedes this, for it does not commit the funds it provides to the administration of any other authority.

I can not but repeat what I have before expressed, that if the several states, many of which have already laid the foundation of munificent establishments of local beneficence, and nearly all of which are proceeding to establish them, shall be led to suppose, as they will be, should this bill become a law, that Congress is to make provision for such objects, the foundations of charity will be dried up at home, and the several states, instead of bestowing their own means on the social wants of their own people, may themselves, through the strong temptation, which appeals to states as to individuals, become humble suppliants for the bounty of the federal government, reversing their true relation to this Union.

Having stated my views of the limitation of the powers conferred by the eighth section of the first article of the constitution, I deem it proper to call attention to the third section of the fourth article, and to the provisions of the sixth article, bearing directly upon the question under consideration; which, instead of aiding the claim to power exercised in this case, tend, it is believed, strongly to illustrate and explain positions which, even without such support, I can not regard as questionable.

The third section of the fourth article of the constitution is in the following terms: "The Congress shall have power to *dispose* of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claim of the United States, or of any particular state." The sixth article is as follows, to wit: that "all debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution as under the confederation."

For a correct understanding of the terms used in the third section of the fourth article, above quoted, reference should be had to the history of the times in which the constitution was formed and adopted. It was decided upon in convention on the 17th of September, 1787, and by it Congress was empowered to "dispose of," &c., "the territory or other property belonging to the United States." The only territory then belonging to the United States, was that then recently ceded by the several states, to wit: by New York in 1781, by Virginia in 1784, by Massachusetts in 1785, and by South Carolina in August, 1787, only the month before the formation of the constitution. The cession from Virginia contained the following provision:—

"That all the lands within the territory so ceded to the United States, and not reserved for, or appropriated to, any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said states, Virginia included, according to their usual respective proportions, in the general charge and expenditure, and shall be faithfully and bona fide *disposed of* for that purpose, and for no other use or purpose whatsoever."

Here the object for which these lands are to be disposed of, is clearly set forth, and the power to dispose of them granted by the third section.

of the fourth article of the constitution, clearly contemplates such disposition only. If such be the fact, and in my mind there can be no doubt of it, then you have again, not only no implication in favor of the contemplated grant, but the strongest authority against it.

Furthermore, this bill is in violation of the faith of the government, pledged in the act of January 28, 1847. The nineteenth section of that act declares: "That, for the payment of the stock which may be created under the provisions of this act, the sales of the public lands are hereby pledged; and it is hereby made the duty of the secretary of the treasury to use and apply all moneys which may be received into the treasury for the sales of the public lands after the first day of January, 1848, first to pay the interest on all stocks issued by virtue of this act; and, secondly, to use the balance of said receipts, after paying the interest aforesaid, in the purchase of said stocks at their market value," &c. The debts then contracted have not been liquidated, and the language of this section, and the obligations of the United States under it, are too plain to need comment.

I have been unable to discover any distinction, on constitutional grounds, or grounds of expediency, between an appropriation of ten millions of dollars, directly from the money in the treasury, for the object contemplated, and the appropriation of lands presented for my sanction. And yet, I can not doubt, that if the bill proposed ten millions of dollars from the treasury of the United States, for the support of indigent insane in the several states, that the constitutional question involved in the act would have attracted forcibly the attention of Congress.

I respectfully submit, that, in a constitutional point of view, it is wholly immaterial whether the appropriation be in money or in land.

The public domain is the common property of the Union, just as much as the surplus proceeds of that, and of duties on imports remaining unexpended in the treasury. As such, it has been pledged, is now pledged, and may need to be so pledged again, for public indebtedness.

As property, it is distinguished from actual money chiefly in this respect: that its profitable management sometimes requires that portions of it be appropriated to local objects, in the states wherein it may happen to lie, as would be done by any prudent proprietor to enhance the sale-value of his private domain. All such grants of land are, in fact, a disposal of it for value received; but they afford no precedent, or constitutional reason, for giving away the public lands. Still less do they give sanction to appropriations for objects which have not been intrusted to the federal government, and therefore belong exclusively to the states.

To assume that the public lands are applicable to ordinary state objects, whether of public structures, police, charity, or expenses of state administration, would be to disregard, to the amount of the value of the public lands, all the limitations of the constitution, and confound, to that extent, all distinctions between the rights and powers of the states, and those of the United States. For if the public lands may be applied to the support of the poor, whether sane or insane, if the disposal of them and their proceeds be not subject to the ordinary limitations of the constitution, then Congress possesses unqualified power to provide for expenditures in the states by means of the public lands, even to the degree of defraying the salaries of governors, judges, and all other expenses of the government, and internal administration within the several states. The conclusion from the general survey of the whole subject is, to my mind,

irresistible, and closes the question, both of right and of expediency, so far as regards the principle of the appropriation proposed in this bill. Would not the admission of such a power in Congress to dispose of the public domain, work the practical abrogation of some of the most important provisions of the constitution? If the systematic reservation of a definite portion of the public lands (the sixteenth section) in the states, for the purpose of education, and occasional grants for similar purposes be cited as contradicting these conclusions, the answer, as it appears to me, is obvious and satisfactory. Such reservations and grants, besides being a part of the conditions on which the proprietary right of the United States is maintained, along with the eminent domain of a particular state, and by which the public land remains free from taxation in the state in which it lies, as long as it remains the property of the United States, are the acts of a mere land-owner, disposing of a small share of his property in a way to augment the value of the residue, and in this mode to encourage the early occupation of it by the industrious and intelligent pioneer.

The great example of apparent donation of lands to the states, likely to be relied upon as sustaining the principles of this bill, is the relinquishment of swamp lands to the states in which they are situated; but this also, like other grants already referred to, was based expressly upon grounds clearly distinguishable in principle from any which can be assumed for the bill herewith returned, viz., upon the interest and duty of the proprietor. They were charged, and not without reason, to be a nuisance to the inhabitants of the surrounding country. The measure was predicated, not only upon the ground of the disease inflicted upon the people of the states which the United States could not justify, as a just and honest proprietor, but also upon an express limitation of the application of the proceeds, in the first instance, to purposes of levees and drains, thus protecting the health of the inhabitants, and, at the same time, enhancing the value of the remaining lands belonging to the general government. It is not to be denied that Congress, while administering the public lands as a proprietor, within the principle distinctly announced in my annual message, may sometimes have failed to distinguish accurately between objects which are and which are not within its constitutional powers.

After the most careful examination, I find but two examples in the acts of Congress which furnish any precedent for the present bill, and those examples will, in my opinion, serve rather as a warning than as an inducement to tread in the same path.

The first is the act of March 3, 1819, granting a township of land to the Connecticut asylum for the education of the deaf and dumb.

The second that of April 5, 1826, making a similar grant of land to the Kentucky asylum for teaching the deaf and dumb.

The first more than thirty years after the adoption of the constitution, and the second more than a quarter of a century ago.

These acts were unimportant as to the amount appropriated, and, so far as I can ascertain, were passed on two grounds; first, that the object was a charitable one, and secondly, that it was national. To say that it was a charitable object, is only to say that it was an object of expenditure proper for the competent authority; but it no more tended to show that it was a proper object of expenditure by the United States, than is any other purely local object, appealing to the best sympathies of the human

heart, in any of the states. And the suggestion that a school for the mental culture of the deaf and dumb in Connecticut, or Kentucky, is a national object, only shows how loosely this expression has been used when the purpose was to procure appropriations by Congress. It is not perceived how a school of this character is otherwise national than is any establishment of religious or moral instruction. All the pursuits of industry, everything which promotes the material or intellectual well-being of the race, every ear of corn or boll of cotton which grows, is national in the same sense; for each one of these things goes to swell the aggregate of national prosperity and happiness of the United States; but it confounds all meaning of language to say that these things are "national," as equivalent to "federal," so as to come within any of the classes of appropriation for which Congress is authorized by the constitution to legislate.

It is a marked point in the history of the constitution, that when it was proposed to empower Congress to establish a university, the proposition was confined to the district intended for the future seat of government of the United States, and that even that proposed clause was omitted in consideration of the exclusive powers conferred on Congress to legislate for that district. Could a more decisive indication of the true construction and the spirit of the constitution in regard to all matters of this nature have been given? It proves that such objects were considered by the convention as appertaining to local legislation only, that they were not comprehended, either expressly or by implication, in the grant of general power to Congress, and that, consequently, they remained with the several states.

The general result at which I have arrived is the necessary consequence of those views of the relative rights, powers, and duties of the states and of the federal government which I have long entertained, and often expressed, and in reference to which my convictions do but increase in force with time and experience.

I have thus discharged the unwelcome duty of respectfully stating my objections to this bill, with which I cheerfully submit the whole subject to the wisdom of Congress.

APPENDIX.

SPECIAL MESSAGES OF WASHINGTON.

SPECIAL MESSAGE.

AUGUST 7, 1789.

To the Senate and House of Representatives of the United States :—

THE business, which has been under the consideration of Congress, has been of so much importance, that I was unwilling to draw their attention from it to any other subject ; but the disputes which exist between some of the United States and several powerful tribes of Indians within the limits of the Union, and the hostilities which have in several instances been committed on the frontiers, seem to require the immediate interposition of the general government.

I have therefore directed the several statements and papers, which have been submitted to me on this subject by General Knox, to be laid before you for your information. While the measures of government ought to be calculated to protect the citizens from all injury and violence, a due regard should be extended to those Indian tribes, whose happiness, in the course of events, so materially depends on the national justice and humanity of the United States.

If it should be the judgment of Congress that it would be most expedient to terminate all differences in the southern district, and to lay the foundation for future confidence, by an amicable treaty with the Indian tribes in that quarter, I think proper to suggest the consideration of the expediency of instituting a temporary commission for that purpose, to consist of three persons, whose authority should expire with the occasion. How far such a measure, unassisted by posts, would be competent to the establishment and preservation of peace and tranquillity on the frontier, is also a matter which merits your serious consideration.

Along with this object, I am induced to suggest another, with the national importance and necessity of which I am deeply impressed : I mean some uniform and effective system for the militia of the United States. It is unnecessary to offer arguments in recommendation of a measure on which the honor, safety, and well-being of our country so evidently and so essentially depend. But it may not be amiss to observe, that I am particularly anxious it should receive as early attention as circumstances will admit ; because it is now in our power to avail ourselves of the mili-

tary knowledge disseminated throughout the several states by means of the many well-instructed officers and soldiers of the late army, a resource which is daily diminishing by deaths and other causes. To suffer this peculiar advantage to pass away unimproved, would be to neglect an opportunity which will never again occur, unless unfortunately we should again be involved in a long and arduous war.

SPECIAL MESSAGE.

SEPTEMBER 17, 1789.

To the Senate of the United States:—

It doubtless is important that all treaties and compacts formed by the United States with other nations, whether civilized or not, should be made with caution, and executed with fidelity.

It is said to be the general understanding and practice of nations, as a check on the mistakes and indiscretions of ministers or commissioners, not to consider any treaty, negotiated and signed by such officers, as final and conclusive, until ratified by the sovereign or government from whom they derive their powers. This practice has been adopted by the United States respecting their treaties with European nations, and I am inclined to think it would be advisable to observe it in the conduct of our treaties with the Indians; for, though such treaties, being, on their part, made by their chiefs or rulers, need not be ratified by them, yet, being formed on our part by the agency of subordinate officers, it seems to me both prudent and reasonable that their acts should not be binding on the nation, until approved and ratified by the government. It strikes me that this point should be well considered and settled, so that our national proceedings in this respect may become uniform, and be directed by fixed and stable principles.

The treaties with certain Indian nations, which were laid before you with my message of the 25th of May last, suggested two questions to my mind, namely—first, whether those treaties were to be considered as perfected, and consequently as obligatory, *without* being ratified. If not, then, secondly, whether both, or either, and which of them, ought to be ratified. On these questions I request your opinion and advice.

You have, indeed, advised me “to execute and enjoin an observance of” the treaty with the Wyandots, &c. You, gentlemen, doubtless intended to be clear and explicit; and yet, without further explanation, I fear I may misunderstand your meaning: for if, by my *executing* that treaty, you mean that I should make it (in a more particular and immediate manner than it now is) the act of government, then it follows that I am to ratify it. If you mean, by my *executing it*, that I am to see it carried into effect and operation, then I am led to conclude, either that you consider it as being perfect and obligatory in its present state, and therefore to be executed and observed; or, that you consider it to derive its completion and obligation from the silent approbation and ratification which my proclamation may be construed to imply. Although I am inclined to think that the latter is your intention, yet it is certainly best that all doubts respecting it be removed.

Permit me to observe, that it will be proper for me to be informed of your sentiments relative to the treaty with the Six Nations, previous to the departure of the governor of the western territory, and therefore I recommend it to your early consideration.

SPECIAL MESSAGE.

FEBRUARY 9, 1790.

To the Senate of the United States :—

You will perceive, from the papers herewith delivered, and which are enumerated in the annexed list, that a difference subsists between Great Britain and the United States relative to the boundary line between our eastern and their territories. A plan for deciding this difference was laid before the late Congress ; and whether that or some other plan of a like kind would not now be eligible, is submitted to your consideration.

In my opinion it is desirable that all questions between this and other nations be speedily and amicably settled ; and, in this instance, I think it advisable to postpone any negotiations on the subject until I shall be informed of the result of your deliberations, and receive your advice as to the propositions most proper to be offered on the part of the United States.

As I am taking measures for learning the intentions of Great Britain respecting the further detention of our posts, &c., I am the more solicitous that the business now submitted to you may be prepared for negotiation as soon as the other important affairs which engage your attention will permit.

SPECIAL MESSAGE.

AUGUST 4, 1790.

To the Senate of the United States :—

IN consequence of the general principles agreed to by the senate in August, 1789, the adjustment of the terms of a treaty is far advanced between the United States and the chiefs of the Creek Indians, now in this city, in behalf of themselves and the whole Creek nation.

In preparing this treaty, the present arrangements of trade with the Creeks have caused much embarrassment. It seems to be well ascertained that the said trade is almost exclusively in the hands of a company of British merchants, who, by agreement, make their importations of goods from England into the Spanish ports.

As the trade of the Indians is a main means of their political management, it is therefore obvious that the United States can not possess any security for the performance of treaties with the Creeks, while their trade is liable to be interrupted, or withheld, at the caprice of two foreign powers.

Hence it becomes an object of real importance to form new channels for the commerce of the Creeks through the United States. But this operation will require time, as the present arrangements can not be suddenly broken without the greatest violation of faith and morale.

It therefore appears to be important to form a secret article of a treaty, similar to the one which accompanies this message.

If the senate should require any further explanation, the secretary of war will attend them for that purpose.

SECRET ARTICLE.

The commerce necessary for the Creek nation shall be carried on through the ports, and by the citizens, of the United States, if substantial and effectual arrangements shall be made for that purpose by the United States on or before the first day of August, one thousand seven hundred and ninety-two. In the meantime, the said commerce may be carried on through its present channels, and according to its present arrangements.

And, whereas, the trade of the said Creek nation is now carried on wholly or principally through the territories of Spain, and obstructions thereto may happen by war or prohibitions of the Spanish government: it is therefore agreed between the said parties, that, in the event of any such obstructions happening, it shall be lawful for such persons as _____ shall designate, to introduce into, and transport through the territories of the United States, to the country of the said Creek nation, any quantity of goods, wares, and merchandise, not exceeding in value in any one year sixty thousand dollars, and that free from any duties or impositions whatsoever, but subject to such regulations for guarding against abuse as the United States shall judge necessary; which privilege shall continue as long as such obstructions shall continue.

SPECIAL MESSAGE.

AUGUST 7, 1790.

To the Senate of the United States:—

I LAY before you a treaty between the United States and the chiefs of the Creek nation, now in this city, in behalf of themselves and the whole Creek nation, subject to the ratification of the president of the United States, with the advice and consent of the senate.

While I flatter myself that this treaty will be productive of present peace and prosperity to our southern frontier, it is expected that it will also in its consequences be the means of firmly attaching the Creeks and the neighboring tribes to the interests of the United States.

At the same time, it is to be hoped that it will afford solid grounds of satisfaction to the state of Georgia, as it contains a regular, full, and definitive relinquishment, on the part of the Creek nation, of the Oconee land, in the utmost extent in which it has been claimed by that state, and thus extinguishes the principal cause of those hostilities from which it has more than once experienced such severe calamities. But although the

most valuable of the disputed land is included, yet there is a certain claim of Georgia, arising out of the treaty made by that state at Galphinston, in November, 1785, of land to the eastward of a new temporary line from the forks of the Oconee and Oakmulgee in a southwest direction to the St. Mary's river, which tract of land the Creeks in this city absolutely refuse to yield.

This land is reported to be generally barren, sunken, and unfit for cultivation, except in some instances on the margin of the rivers, on which, by improvement, rice might be cultivated, its chief value depending on the timber fit for the building of ships, with which it is represented as abounding.

While it is thus circumstanced, on the one hand, it is stated by the Creeks, on the other, to be of the highest importance to them, as constituting some of their most valuable winter hunting-ground.

I have directed the commissioner, to whom the charge of adjusting this treaty has been committed, to lay before you such papers and documents, and to communicate to you such information relatively to it, as you may require.

SPECIAL MESSAGE

AUGUST 11, 1790.

To the Senate of the United States :—

ALTHOUGH the treaty with the Creeks may be regarded as the main foundation of the future peace and prosperity of the southwestern frontier of the United States, yet, in order fully to effect so desirable an object, the treaties which have been entered into with the other tribes in that quarter must be faithfully performed on our part.

During the last year, I laid before the senate a particular statement of the case of the Cherokees. By a reference to that paper it will appear that the United States formed a treaty with the Cherokees in November, 1785 ; that the said Cherokees thereby placed themselves under the protection of the United States, and had a boundary assigned them ; that the white people, settled on the frontiers, had openly violated the said boundary by intruding on the Indian lands ; that the United States, in Congress assembled, on 1st day of September, 1788, issued their proclamation forbidding all such unwarrantable intrusions, and enjoined all those who had settled upon the hunting-grounds of the Cherokees to depart with their families and effects without loss of time, as they would answer their disobedience to the injunctions and prohibitions expressed at their peril.

But information has been received, that, notwithstanding the said treaty and proclamation, upward of five hundred families have settled on the Cherokee land, exclusively of those settled between the forks of French, Broad, and Holstein rivers, mentioned in the said treaty.

As the obstructions to a proper conduct on this matter have been removed since it was mentioned to the senate on the 22d of August, 1789, by the accession of North Carolina to the present Union, and the cessions of the lands in question, I shall conceive myself bound to exert the powers intrusted to me by the constitution, in order to carry into faithful execu-

tion the treaty of Hopewell, unless it shall be thought proper to attempt to arrange a new boundary with the Cherokees, embracing the settlements, and compensating the Cherokees for the cessions they shall make on the occasion. On this point, therefore, I state the following questions, and request the advice of the senate thereon :—

1. Is it the judgment of the senate that overtures shall be made to the Cherokees to arrange a new boundary, so as to embrace the settlements made by the white people since the treaty of Hopewell, in November, 1785 ?

2. If so, shall compensation to the amount of ——— dollars annually, or of ——— dollars in gross, be made to the Cherokees for the land they shall relinquish, holding the occupiers of the land accountable to the United States for its value ?

3. Shall the United States stipulate solemnly to guaranty the new boundary which may be arranged ?

SPECIAL MESSAGE.

JANUARY 24, 1791.

To the Senate and House of Representatives of the United States :—

IN execution of the powers with which Congress were pleased to invest me by their act, entitled, “An act for establishing the temporary and permanent seat of the government of the United States,” and on mature consideration of the advantages and disadvantages of the several positions within the limits prescribed by the said act, I have, by a proclamation, bearing date this day, a copy of which is herewith transmitted, directed commissioners, appointed in pursuance of the act, to survey and limit a part of the territory of ten miles square, on both sides the river Potomac, so as to comprehend Georgetown, in Maryland, and to extend to the Eastern Branch.

I have not, by this first act, given to the said territory the whole extent of which it is susceptible in the direction of the river, because I thought it important that Congress should have an opportunity of considering whether, by an amendatory law, they would authorize the location of the residue at the lower end of the present, so as to comprehend the Eastern Branch itself and some of the country on its lower side in the state of Maryland, and the town of Alexandria, in Virginia ; if, however, they are of opinion that the federal territory should be bounded by the water-edge of the Eastern Branch, the location of the residue will be to be made at the upper end of what is now directed.

I have thought best to await a survey of the territory, before it is decided on what particular spot on the northeastern side of the river the public buildings shall be erected.

SPECIAL MESSAGE.

FEBRUARY 14, 1791.

To the Senate and House of Representatives of the United States :—

SOON after I was called to the administration of the government, I found it important to come to an understanding with the court of London on several points interesting to the United States, and particularly to know whether they were disposed to enter into arrangements, by mutual consent, which might fix the commerce between the two nations on principles of reciprocal advantage. For this purpose, I authorized informal conferences with their minister; and from these I do not infer any disposition, on their part, to enter into any arrangements merely commercial. I have thought it proper to give you this information, as it might at some time have influence on matters under your consideration.

Gentlemen of the Senate :—

Conceiving, that in the possible event of a refusal of justice on the part of Great Britain, we should stand less committed should it be made to a private rather than a public person, I employed Mr. Gouverneur Morris, who was on the spot, and without giving him any definite character, to enter informally into the conferences before mentioned. For your more particular information, I lay before you the instructions I gave him, and those parts of his communications wherein the British ministers appear, either in conversation or by letter. These are two letters from the duke of Leeds, and one with him and Mr. Pitt. The sum of these is, that they declare without scruple that they do not mean to fulfil what remains of the treaty of peace to be fulfilled on their part (by which we are to understand the delivery of the posts, and payment for property carried off), till performance on our part, and compensation where the delay has rendered the performance now impracticable; that, on the subject of a treaty of commerce, they avoided direct answers, so as to satisfy Mr. Morris they did not mean to enter into one, unless it could be extended into a treaty of alliance offensive and defensive, or unless in the event of a rupture with Spain.

As to the sending a minister here, they made excuses at the first conference, seem disposed to it in the second, and in the last express an intention of so doing.

Their views being thus sufficiently ascertained, I have directed Mr. Morris to discontinue his communications with them.

SPECIAL MESSAGE.

FEBRUARY 18, 1791.

To the Senate of the United States :—

THE aspect of affairs in Europe during the last summer, and especially between Spain and England, gave reason to expect a favorable occasion for pressing to accommodation the unsettled matters between them and us.

Mr. Carmichael, our chargé d'affaires at Madrid, having been long absent from his country, and great changes having taken place in our circumstances and sentiments during the interval, it was thought expedient to send some person in a private character, fully acquainted with the present state of things here, to be the bearer of written and confidential instructions to him, and at the same time to possess him, in full and frequent conversations, of all those details of facts and topics of argument which could not be conveyed in writing, but which would be necessary to enable him to meet the reasonings of that court with advantage. Colonel David Humphreys was therefore sent for these purposes.

An additional motive for this confidential mission arose in the same quarter. The court of Lisbon had, on several occasions, made the most amicable advances for cultivating friendship and intercourse with the United States. The exchange of a diplomatic character had been informally, but repeatedly, suggested on their part. It was our interest to meet this nation in its friendly dispositions, and to concur in the exchange proposed. But my wish was, at the same time, that the character to be exchanged should be of the lowest and most economical grade. To this it was known that certain rules of long standing at that court would produce obstacles. Colonel Humphreys was charged with despatches to the prime-minister of Portugal, and with instructions to endeavor to arrange this to our views. It happened, however, that, previous to his arrival at Lisbon, the queen had appointed a minister resident to the United States. This embarrassment seems to have rendered the difficulty completely insurmountable. The minister of that court, in his own conferences with Colonel Humphreys, professing every wish to accommodate, yet expresses his regrets that circumstances do not permit them to concur in the grade of chargé d'affaires—a grade of little privilege or respectability by the rules of their court—and held in so low estimation by them, that no proper character would accept it to go abroad. In a letter to the secretary of state, he expresses the same sentiments, and announces the appointment on their part of a minister resident to the United States, and the pleasure with which the queen will receive one from us at her court. A copy of his letter, and also of Colonel Humphreys', giving the details of this transaction, will be delivered to you.

On this consideration of all circumstances, I have determined to accede to the desire of the court of Lisbon in the article of grade. I am aware that the consequences will not end here, and that this is not the only instance in which a like change may be pressed. But, should it be necessary to yield elsewhere also, I shall think it a less evil than to disgust a government so friendly and so interesting to us as that of Portugal. I do not mean that the change of grade shall render the mission more expensive.

I have, therefore, nominated David Humphreys minister resident from the United States to her most faithful majesty the queen of Portugal.

SPECIAL MESSAGE.

MARCH 5, 1792.

To the Senate and House of Representatives of the United States:—

KNOWING the friendly interest you take in whatever may promote the happiness and prosperity of the French nation, it is with pleasure I lay before you the translation of a letter which I have received from his most Christian majesty, announcing to the United States of America his acceptance of the constitution presented to his nation.

The translation of the letter above referred to.

September 19, 1791.

VERY DEAR, GREAT FRIENDS AND ALLIES:—

WE make it our duty to inform you that we have accepted the constitution which has been presented to us in the name of the nation, and according to which France will be henceforth governed.

We do not doubt that you take an interest in an event so important to our kingdom and to us, and it is with real pleasure we take this occasion to renew to you assurances of the sincere friendship we bear you. Whereupon we pray God to have you, very dear, great friends and allies, in his just and holy keeping. Written at Paris, the 19th of September, 1791.

Your good friend and ally,

LOUIS
MONTMORIN.

SPECIAL MESSAGE.

MAY 8, 1792.

To the Senate of the United States:—

If the president of the United States should conclude a convention or treaty with the government of Algiers for the ransom of the thirteen Americans in captivity there, for a sum not exceeding forty thousand dollars, all expenses included, will the senate approve the same? Or is there any and what greater or lesser sum, which they would fix on as the limit beyond which they would not approve the ransom?

If the president of the United States should conclude a treaty with the government of Algiers for the establishment of peace with them, at an expense not exceeding twenty-five thousand dollars paid at the signature, and a like sum to be paid annually afterward during the continuance of the treaty, would the senate approve the same? Or are there any greater or lesser sums which they would fix on as the limit beyond which they would not approve of such treaty?

SPECIAL MESSAGE.

DECEMBER 16, 1793.

To the Senate and House of Representatives of the United States :—

THE situation of affairs in Europe, in the course of the year 1790, having rendered it possible that a moment might arrive favorable for the arrangement of our unsettled matters with Spain, it was thought proper to prepare a representative at that court to avail us of it. A confidential person was therefore despatched to be the bearer of instructions to him, and to supply, by verbal communications, any additional information of which he might find himself in need. The government of France was at the same time applied to for its aid and influence in this negotiation. Events, however, took a turn which did not present the occasion hoped for:

About the close of the ensuing year, I was informed, through the representatives of Spain here, that their government would be willing to renew at Madrid the former conferences on these subjects. Though the transfer of scene was not what would have been desired, yet I did not think it important enough to regret the proposition; and therefore, with the advice and consent of the senate, I appointed commissioners plenipotentiary for negotiating and concluding a treaty with that country on the several subjects of boundary, navigation, and commerce, and gave them the instructions now communicated. Before these negotiations, however, could be got into train, the new troubles which had arisen in Europe had produced new combinations among the powers there, the effects of which are but too visible in the proceedings now laid before you.

In the meantime, some other points of discussion had arisen with that country, to wit, the restitution of property escaping into the territories of each other, the mutual exchange of fugitives from justice, and, above all, the mutual interferences with the Indians lying between us. I had the best reason to believe that the hostilities threatened and exercised by the southern Indians on our border were excited by the agents of that government. Representations were thereon directed to be made by our commissioners to the Spanish government, and a proposal to cultivate with good faith the peace of each other with those people. In the meantime, corresponding suspicions were entertained, or pretended to be entertained, on their part, of like hostile excitements by our agents to disturb their peace with the same nations. These were brought forward by the representatives of Spain here in a style which could not fail to produce attention. A claim of patronage and protection of those Indians was asserted; a mediation between them and us by the sovereign assumed; their boundaries with us made a subject of interference; and at length, at the very moment when these savages were committing daily inroads upon our frontier, we were informed by them that "the continuation of the peace, good harmony, and perfect friendship of the two nations, was very problematical for the future, unless the United States should take more convenient measures and of greater energy than those adopted for a long time past."

If their previous correspondence had worn the appearance of a desire to urge on a disagreement, this last declaration left no room to evade it, since it could not be conceived we would submit to the scalping-knife and tomahawk of the savage without any resistance. I thought it time, therefore, to know if these were the views of the sovereign: and despatched a

special messenger with instructions to our commissioners, which are among the papers now communicated. This last letter gives us reason to expect very shortly to know the result. I must add, that the Spanish representatives here, perceiving that their last communication had made no considerable impression, endeavored to abate this by some subsequent professions, which, being also among the communications to the legislature, they will be able to form their own conclusions.

SPECIAL MESSAGE.

DECEMBER 16, 1793.

To the Senate of the United States:—

I LAY before you a report of the secretary of state on the measures which have been taken on behalf of the United States for the purpose of obtaining a recognition of our treaty with Morocco, and for the ransom of our citizens and establishment of peace with Algiers.

While it is proper our citizens should know that subjects, which so much concern their interests and their feelings, have duly engaged the attention of their legislature and executive, it would still be improper that some particulars of this communication should be made known. The confidential conversation stated in one of the last letters sent herewith is one of these. Both justice and policy require that the source of that information remain secret. So a knowledge of the sums meant to have been given for peace and ransom might have disadvantageous influence on future proceedings for the same objects.

SPECIAL MESSAGE.

JANUARY 21, 1794.

Gentlemen of the Senate and of the House of Representatives:—

IT is with satisfaction I announce to you that the alterations which have been made by law in the original plan for raising a duty on spirits distilled within the United States, and on stills, co-operating with better information, have had a considerable influence in obviating the difficulties which have embarrassed that branch of the public revenue. But the obstacles which have been experienced, though lessened, are not yet entirely surmounted, and it would seem that some further legislative provisions may usefully be superadded; which leads me to recall the attention of Congress to the subject. Among the matters which may demand regulation, is the effect, in point of organization, produced by the separation of Kentucky from the state of Virginia; and the situation, with regard to the law, of the territories northwest and southwest of the Ohio.

The laws respecting lighthouse establishments require, as a condition of their permanent maintenance, at the expense of the United States, a

complete cession of soil and jurisdiction. The cessions of different states having been qualified with a reservation of the right of serving legal process within the ceded jurisdiction, are understood to be inconclusive, as annexing a qualification not consonant with the terms of the law, I present this circumstance to the view of Congress, that they may judge whether any alteration ought to be made.

As it appears to be conformable with the intention of the "ordinance for the government of the territory of the United States northwest of the river Ohio," although it is not expressly directed that the laws of that territory should be laid before Congress, I now transmit to you a copy of such as have been passed from July to December, one thousand seven hundred and ninety-two, inclusive, being the last which have been received by the secretary of state.

SPECIAL MESSAGE.

MARCH 28, 1794.

Gentlemen of the Senate and House of Representatives :—

In the execution of the resolution of Congress, bearing date the 26th of March, 1794, and imposing an embargo, I have requested the governors of the several states to call forth the force of their militia, if it should be necessary for the detention of vessels. This power is conceived to be incidental to an embargo.

It also deserves the attention of Congress, how far the clearances from one district to another, under the law as it now stands, may give rise to evasions of the embargo. As one security, the collectors have been instructed to refuse to receive the surrender of coasting-licenses, for the purpose of taking out registers, and to require bond from registered vessels, bound from one district to another, for the delivery of the cargo within the United States.

It is not understood that the resolution applies to fishing-vessels, although their occupations lie generally in parts beyond the United States. But without further restrictions, there is an opportunity of their privileges being used as a means of eluding the embargo.

All armed vessels, possessing public commissions from any foreign power (letters of marque excepted), are considered as not liable to the embargo.

These circumstances are transmitted to Congress for their consideration.

SPECIAL MESSAGE.

MAY 20, 1794.

Gentlemen of the Senate and of the House of Representatives :—

In the communication which I have made to Congress, during the present session, relative to foreign nations, I have omitted no opportunity of testifying my anxiety to preserve the United States in peace. It is pecu-

Early, therefore, my duty at this time to lay before you the present state of certain hostile threats against the territories of Spain, in our neighborhood.

The documents which accompany this message develop the measures which I have taken to suppress them, and the intelligence which has been lately received.

It will be seen thence that the subject has not been neglected ; that every power vested in the executive, on such occasions, has been exerted ; and that there was reason to believe that the enterprise projected against the Spanish dominions was relinquished.

But it appears to have been revived upon principles which set public order at defiance, and place the peace of the United States in the discretion of unauthorized individuals. The means already deposited in the different departments of government are shown by experience not to be adequate to these high exigencies, although such of them as are lodged in the hands of the executive shall continue to be used with promptness, energy, and decision, proportioned to the case. But I am impelled, by the position of our public affairs, to recommend that provision be made for a stronger and more vigorous opposition than can be given to such hostile movements under the laws as they now stand.

SPECIAL MESSAGE.

MAY 21, 1794.

To the Senate and House of Representatives of the United States :—

I LAY before you in confidence sundry papers, by which you will perceive the state of affairs between us and the Six Nations, and the probable cause to which it is owing ; and also certain information, whereby it would appear that some encroachment was about to be made on our territory by an officer and party of British troops. Proceeding on a supposition of the authenticity of this information, although of a private nature, I have caused the representation to be made to the British minister, a copy of which accompanies this message.

It can not be necessary to comment upon the very serious nature of such an encroachment, nor to urge that this new state of things suggests the propriety of placing the United States in a posture of effectual preparation for an event, which, notwithstanding the endeavors making to avert it, may, by circumstances beyond our control, be forced upon us.

SPECIAL MESSAGE.

FEBRUARY 28, 1795.

To the Senate and House of Representatives of the United States :—

In my first communication to Congress during their present session, I gave them reason to expect that "certain circumstances of our intercourse with foreign nations" would be transmitted to them. There was at that

time every assurance for believing that some of the most important of our foreign affairs would have been concluded, and others considerably matured, before they should rise. But, notwithstanding I have waited until this moment, it has so happened, that, either from causes unknown to me, or from events which could not be controlled, I am yet unable to execute my original intention. That I may, however, fulfil the expectation given, as far as the actual situation of things will in my judgment permit, I now, *in confidence*, lay before Congress the following general statement:—

Our minister near the French republic has urged compensation for the injuries which our commerce has sustained from captures by French cruisers, from the non-fulfilment of the contracts of the agents of that republic with our citizens, and from the embargo at Bordeaux. He has also pressed an allowance for the money voted by Congress for relieving the inhabitants of St. Domingo. It affords me the highest pleasure to inform Congress that perfect harmony reigns between the two republics; and that those claims are in a train of being discussed with candor, and of being amicably adjusted.

So much of our relation to Great Britain may depend upon the result of our late negotiations in London, that, until that result shall arrive, I can not undertake to make any communication upon this subject.

After the negotiation with Spain had been long depending, unusual and unexpected embarrassments were raised to interrupt its progress. But the commissioner of his catholic majesty, an envoy extraordinary, has been specially charged to bring to a conclusion the discussions, which have been formerly announced to Congress.

The friendship of her most faithful majesty has been often manifested by checking the passage of the Algerine corsairs into the Atlantic ocean. She has also furnished occasional convoys to the vessels of the United States, even when bound to other ports than her own. We may therefore promise ourselves, that, as in the ordinary course of things, few causes can exist for dissatisfaction between the United States and Portugal, so the temper with which accidental difficulties will be met on each side will speedily remove them.

Between the executive of the United States and the government of the United Netherlands but little intercourse has taken place during the last year. It may be acceptable to Congress to learn that our credit in Holland is represented as standing upon the most respectable footing.

Upon the death of the late emperor of Morocco, an agent was despatched to renew with his successor the treaty which the United States had made with him. The agent unfortunately died after he had reached Europe, in the prosecution of his mission. But until lately it was impossible to determine, with any degree of probability, who of the competitors for that empire would be ultimately fixed in the supreme power. Although the measures which have been since adopted for the renewal of the treaty have been obstructed by the disturbed situation of Amsterdam, there are good grounds for presuming, as yet, upon the pacific disposition of the emperor in fact toward the United States, and that the past miscarriage will be shortly remedied.

Congress are already acquainted with the failure of the loan attempted in Holland for the relief of our unhappy fellow-citizens in Algiers. This subject, than which none deserves a more affectionate zeal, has constantly commanded my best exertions. I am happy, therefore, in being able to

say, that, from the last authentic accounts, the day was disposed to treat for a peace and ransom, and that both would in all probability have been accomplished, had we not been disappointed in the means. Nothing which depends upon the executive shall be left undone for carrying into immediate effect the supplementary act of Congress.

SPECIAL MESSAGE.

JUNE 25, 1795.

To the Senate of the United States:—

Just at the close of the last session of Congress, I received, from one of the senators and one of the representatives of the state of Georgia, an application for a treaty to be held with the tribes or nations of Indians claiming the right of soil to certain lands lying beyond the present temporary boundary line of that state, and which were described in an act of the legislature of Georgia, passed on the 28th of December last, which has already been laid before the senate. This application, and the subsequent correspondence with the governor of Georgia, are herewith transmitted. The subject being very important, I thought proper to postpone a decision upon that application. The views I have since taken of the matter, with the information received of a more pacific disposition on the part of the Creeks, have induced me now to accede to the request: but with this explicit declaration, that neither my assent, nor the treaty which may be made, shall be considered as affecting any question which may arise upon the supplementary act passed by the legislature of the state of Georgia on the 7th of January last, upon which inquiries have been instituted, in pursuance of a resolution of the senate and house of representatives; and that any cession or relinquishment of the Indian claims shall be made in the general terms of treaty of New York, which are contemplated as the form proper to be generally used on such occasions; and on the condition that one half of the expense of the supplies of provisions, for the Indians assembled at the treaty, be borne by the state of Georgia.

Having concluded to hold the treaty requested by that state, I was willing to embrace the opportunity it would present, of inquiring into the causes of the dissatisfaction of the Creeks which has been manifested, since the treaty of New York, by the numerous and distressing depredations on our southwestern frontier. Their depredations on the Cumberland have been so frequent and so peculiarly destructive, as to lead me to think they must originate in some claim to the lands upon that river. But whatever may have been the cause, it is important to trace it to its source; for, independent of the destruction of lives and property, it occasions a very serious annual expense to the United States. The commissioners for holding the proposed treaty will therefore be-instructed to inquire into the causes of the hostilities to which I have referred, and to enter into such reasonable stipulations as will remove them, and give permanent peace to those parts of the United States.

SPECIAL MESSAGE.

JANUARY 4, 1796.

To the Senate and House of Representatives of the United States:—

A LETTER from the minister plenipotentiary of the French republic, received on the 22d of last month, covered an address, dated 21st of October, 1794, from the committee of public safety to the representatives of the United States in Congress; and also informed me that he was instructed by the committee to present to the United States the colors of France. I thereupon proposed to receive them last Friday, the first day of the new year, a day of general joy and congratulation. On that day the minister of the French republic delivered the colors, with an address, to which I returned an answer. By the latter, the house will see that I have informed the minister that the colors will be deposited with the archives of the United States. But it seemed to me proper, previously, to exhibit to the two houses of Congress these evidences of the continued friendship of the French republic, together with the sentiments expressed by me on the occasion in behalf of the United States. They are herewith communicated.

SPECIAL MESSAGE

JANUARY 8, 1796.

To the Senate and House of Representatives of the United States:—

I TRANSMIT to you a memorial of the commissioners, appointed by virtue of an act entitled, "An act for establishing the temporary and permanent seat of the government of the United States," on the subject of the public buildings under their direction.

Since locating a district for the permanent seat of the government of the United States, as heretofore announced to both houses of Congress, I have accepted the grants of money and of land in the memorial of the commissioners. I have directed the buildings therein mentioned to be commenced, on plans which I deemed consistent with the liberality of the grants, and proper for the purposes intended.

I have not been inattentive to this important business intrusted by the legislature to my care. I have viewed the resources placed in my hands, and observed the manner in which they have been applied; the progress is pretty fully detailed in the memorial from the commissioners, and one of them intends to give further information, if required. In a case new and arduous, like the present, difficulties might naturally be expected: some have occurred, but they are, in a great degree, surmounted; and I have no doubt, if the remaining resources are properly cherished, so as to prevent the loss of property by hasty and numerous sales, that all the buildings required for the accommodation of the government of the United States may be completed in season without aid from the federal treasury. The subject is therefore recommended to the consideration of Congress, and the result will determine the measures which I shall cause to be pursued with respect to the property remaining unsold.

SPECIAL MESSAGE.

JANUARY 29, 1796.

Gentlemen of the Senate and of the House of Representatives :—

IN pursuance of the authority vested in the president of the United States, by an act of Congress, passed the 3d of March last, to reduce the weights of the copper coin of the United States, whenever he should think it for the benefit of the United States—provided the reduction should not exceed two pennyweights in each cent, and in a like proportion in the half cent—I have caused the same to be reduced; since the 27th of last December, to wit: one pennyweight and sixteen grains in each cent, and in the like proportion in the half cent; and I have given notice thereof by proclamation.

By the letter of the judges of the circuit court of the United States, held at Boston in June last, and the enclosed application of the under-keeper of the jail at that place, of which copies are herewith transmitted, Congress will see the necessity of making a suitable provision for the maintenance of prisoners committed to the jails of the several states, under the authority of the United States.

SPECIAL MESSAGE.

MARCH 30, 1796.

To the House of Representatives of the United States :—

WITH the utmost attention I have considered your resolution of the 24th instant, requiring me to lay before your house a copy of the instructions to the minister of the United States who negotiated the treaty with the king of Great Britain, together with a correspondence and other documents relative to that treaty, excepting such of the said papers as any existing negotiation may render improper to be disclosed.

In deliberating upon this subject, it was impossible to lose sight of the principle, which some have avowed in its discussion, or to avoid extending my views to the consequences which must flow from the admission of that principle.

I trust that no part of my conduct has ever indicated a disposition to withhold any information which the constitution has enjoined upon the president as a duty to give, or which could be required of him by either house of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the government, my constant endeavor to harmonize with the other branches thereof, so far as the trust delegated to me by the people of the United States, and my sense of the obligation it imposes to "preserve, protect, and defend the constitution," will permit.

The nature of foreign negotiations requires caution, and their success must often depend on secrecy; and, even when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions, which may have been proposed or contemplated, would be extremely im-

politic : for this might have a pernicious influence on future negotiations, or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers. The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the president, with the advice and consent of the senate ; the principle on which that body was formed confining it to a small number of members. To admit, then, a right in the house of representatives to demand, and to have, as a matter of course, all the papers respecting a negotiation with a foreign power, would be to establish a dangerous precedent.

It does not occur that the inspection of the papers asked for can be relative to any purpose under the cognizance of the house of representatives, except that of an impeachment, which the resolution has not expressed. I repeat, that I have no disposition to withhold any information which the duty of my situation will permit, or the public good shall require, to be disclosed ; and, in fact, all the papers affecting the negotiation with Great Britain were laid before the senate when the treaty itself was communicated for their consideration and advice.

The course which the debate has taken on the resolution of the house, leads to some observations on the mode of making treaties under the constitution of the United States.

Having been a member of the general convention, and knowing the principles on which the constitution was formed, I have ever entertained but one opinion on this subject ; and, from the first establishment of the government to this moment, my conduct has exemplified that opinion—that the power of making treaties is exclusively vested in the president, by and with the advice and consent of the senate, provided two thirds of the senators present concur ; and that every treaty, so made and promulgated, thenceforward became the law of the land. It is thus that the treaty-making power has been understood by foreign nations ; and, in all the treaties made with them, we have declared, and they have believed, that, when ratified by the president, with the advice and consent of the senate, they became obligatory. In this construction of the constitution, every house of representatives has heretofore acquiesced ; and, until the present time, not a doubt or suspicion has appeared, to my knowledge, that this construction was not the true one. Nay, they have more than acquiesced : for, till now, without controverting the obligations of such treaties, they have made all the requisite provisions for carrying them into effect.

There is also reason to believe that this construction agrees with the opinions entertained by the state conventions, when they were deliberating on the constitution ; especially by those who objected to it because there was not required, in *commercial treaties*, the consent of two thirds of the whole number of the members of the senate, instead of two thirds of the senators present ; and because, in treaties respecting territorial and certain other rights and claims, the concurrence of three fourths of the whole number of both houses respectively was not made necessary.

It is a fact decided by the general convention, and universally understood, that the constitution of the United States was the result of a spirit of ~~safety~~ and mutual concession.

And it is well known, that, under this influence, the smaller states were admitted to an equal representation in the senate with the larger states, and that this branch of the government was invested with great powers ; for on the equal participation of those powers the sovereignty and political safety of the smaller states were deemed essentially to depend.

If other proofs than these, and the plain letter of the constitution itself, be necessary to ascertain the point under consideration, they may be found in the journals of the general convention, which I have deposited in the office of the department of state. In those journals it will appear that a proposition was made, "that no treaty should be binding on the United States, which was not ratified by a law;" and that the proposition was explicitly rejected.

As, therefore, it is perfectly clear to my understanding that the assent of the house of representatives is not necessary to the validity of a treaty; as the treaty with Great Britain exhibits, in itself, all the objects requiring legislative provision, and on these the papers called for can throw no light; and as it is essential to the due administration of the government that the boundaries, fixed by the constitution, between the different departments, should be preserved: a just regard to the constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request.

SPECIAL MESSAGE.

JANUARY 19, 1797.

Gentlemen of the Senate and of the House of Representatives:—

At the opening of the present session of Congress, I mentioned that some circumstances of an unwelcome nature had lately occurred in relation to France; that our trade had suffered, and was suffering extensive injuries in the West Indies, from the cruisers and agents of the French republic; and that communications had been received from its minister here, which indicated danger of a further disturbance of our commerce by its authority, and that were in other respects far from agreeable; but that I reserved for a special message a more particular communication on this interesting subject. This communication I now make.

The complaints of the French minister embraced most of the transactions of our government, in relation to France, from an early period of the present war; which, therefore, it was necessary carefully to review. A collection has been formed of letters and papers relating to those transactions, which I now lay before you, with a letter to Mr. Pinckney, our minister at Paris, containing an examination of the notes of the French minister, and such information as I thought might be useful to Mr. Pinckney in any further representations he might find necessary to be made to the French government. The immediate object of his mission was, to make to that government such explanations of the principles and conduct of our own, as, by manifesting our good faith, might remove all jealousy and discontent, and maintain that harmony and good understanding with the French republic which it has been my constant solicitude to preserve. A government which required only a knowledge of the *truth* to justify its measures, could not but be anxious to have this fully and frankly displayed.

SPECIAL MESSAGES OF JOHN ADAMS.

SPECIAL MESSAGE.

JUNE 12, 1797.

Gentlemen of the Senate and Gentlemen of the House of Representatives :—

I HAVE received information from the commissioner appointed on the part of the United States, pursuant to the third article of our treaty with Spain, that the running and marking of the boundary line between the colonies of East and West Florida and the territory of the United States, have been delayed by the officers of his catholic majesty ; and that they have declared their intention to maintain jurisdiction, and to suspend the withdrawing of his troops from military posts they now occupy, within the territory of the United States, until the two governments shall, by negotiation, have settled the meaning of the second article respecting the withdrawing of the troops, garrisons, or settlements, of either party in the territory of the other ; that is, whether, when the Spanish garrisons withdraw, they are to leave the works standing or to demolish them ; and, until, by an additional article to the treaty, the real property of the inhabitants shall be secured ; and, likewise, until the Spanish officers are sure the Indians will be pacific. The first two questions, if to be determined by negotiation, might be made subjects of discussion for years ; and, as no limitation of time can be prescribed to the other, a certainty in the opinion of the Spanish officers that the Indians will be pacific, it will be impossible to suffer it to remain an obstacle to the fulfilment of the treaty on the part of Spain.

To remove the first difficulty, I have determined to leave it to the discretion of the officers of his catholic majesty, when they withdraw their troops from the forts within the territory of the United States, either to leave the works standing or to demolish them ; and, to remove the second, I shall cause an assurance to be published, and to be particularly communicated to the minister of his catholic majesty, and to the governor of Louisiana, that the settlers or occupants of the lands in question shall not be disturbed in their possessions by the troops of the United States ; but, on the contrary, that they shall be protected in all their lawful claims ; and to prevent or remove every doubt on this point, it merits the consideration of Congress, whether it will not be expedient immediately to pass a law, giving positive assurances to those inhabitants, who, by fair and regular grants, or by occupancy, have obtained legal titles or equitable claims to lands in that country, prior to the final ratification of the treaty between the United States and Spain, on the twenty-fifth of April, one thousand seven hundred and ninety-six.

This country is rendered peculiarly valuable by its inhabitants, who are represented to amount to nearly four thousand, generally well effected and

much attached to the United States, and zealous for the establishment of a government under their authority.

I therefore recommend to your consideration the expediency of erecting a government in the district of Natchez, similar to that established for the territory northwest of the river Ohio, but with certain modifications, relative to titles or claims of land, whether of individuals or companies, or to claims of jurisdiction of any individual state.

SPECIAL MESSAGE.

JUNE 22, 1797.

Gentlemen of the House of Representatives :—

IMMEDIATELY after I had received your resolution of the tenth of June, requesting a report respecting the depredations committed on the commerce of the United States, since the first of October, one thousand seven hundred and ninety-six, specifying the name of the vessel taken, where bound to or from, species of lading, the value (when it can be ascertained) of the vessel and cargo taken, and by what power captured, particularizing those which have been actually condemned, together with the proper documents to ascertain the same, I directed a collection to be made of all such information as should be found in the possession of the government: in consequence of which, the secretary of state has made the report and the collection of documents which accompany this message, and are now laid before the house of representatives, in compliance with their desire.

SPECIAL MESSAGE.

JULY 3, 1797.

Gentlemen of the Senate and Gentlemen of the House of Representatives :—

THE whole of the intelligence which has for some time past been received from abroad, the correspondences between this government and the ministers of the belligerent powers residing here, and the advices of the officers of the United States, civil and military, upon the frontiers, all conspire to show, in a very strong light, the critical situation of our country. That Congress might be enabled to form a more perfect judgment of it, and of the measures necessary to be taken, I have directed the proper officers to prepare such collections of extracts from the public correspondences as might afford the clearest information. The reports made to me from the secretary of state and the secretary of war, with the collection of documents from each of them, are now communicated to both houses of Congress. I have desired that the message, reports, and documents, may be considered as confidential, merely, that the members of both houses of Congress may be apprized of their contents before they should be made public. As soon as the houses shall have heard them, I shall submit, to their discretion, the publication of the whole, or any such parts of them, as they shall judge necessary or expedient for the public good.

SPECIAL MESSAGE.

JANUARY 17, 1798.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—

THE situation of affairs between the United States and the Cherokee Indians having evinced the expediency of a treaty with that nation, for the promotion of justice to them, as well as of the interests and convenience of our citizens, I have nominated, and, by and with the advice and consent of the senate, appointed commissioners to hold conferences, and conclude a treaty, as early as the season of the year, and the convenience of the parties, will admit.

As we know very well, by experience, that such negotiations can not be carried on without considerable expenses, I recommend to your consideration the propriety of making an appropriation, at this time, for defraying such as may be necessary for holding and concluding a treaty.

That you may form your judgments with greater facility, I shall direct the proper officer to lay before you an estimate of such articles and expenses as may be thought indispensable.

SPECIAL MESSAGE.

JANUARY 18, 1798.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—

A REPRESENTATION has been made to me, by the judge of the Pennsylvania district of the United States, of certain inconveniences, and disagreeable circumstances which have occurred in the execution of the law, passed on the twenty-eighth day of May, one thousand seven hundred and ninety-six, entitled, "An act for the relief of persons imprisoned for debt," as well as of certain doubts which have been raised concerning its construction. This representation, together with a report of the attorney-general on the same subject, I now transmit to Congress, for their consideration, that, if any amendments or explanations of that law should be thought advisable, they should be adopted.

SPECIAL MESSAGE.

JANUARY 23, 1798.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—

AT the commencement of this session of Congress, I proposed, in the course of it, to communicate to both houses further information concerning the situation of our affairs in the territories of the United States situated on the Mississippi river, and its neighborhood; our intercourse with the Indian nations; our relations with the Spanish government, and the conduct of their officers and agents: this information will be found in a report of the secretary of state, and the documents attending it, which I now present to the senate and house of representatives.

SPECIAL MESSAGE.

JANUARY 8, 1799.

Gentlemen of the House of Representatives :—

IN compliance with your desire, expressed in your resolution of the second of this month, I lay before you an extract of a letter from George C. Moreton, acting consul of the United States at the Havana, dated the 13th of November, 1798, to the secretary of state, with a copy of a letter from him to L. Tresevant and William Timmons, Esquires, with their answer.

Although your request extends no further than such information as has been received, yet it may be a satisfaction to you to know that, as soon as this intelligence was communicated to me, circular orders were given by my direction to all the commanders of our vessels-of-war—a copy of which is also herewith transmitted. I also directed this intelligence, and these orders, to be communicated to his Britannic majesty's envoy extraordinary and minister plenipotentiary to the United States, and to our minister plenipotentiary to the court of Great Britain, with instructions to him to make the proper representations to that government on this subject.

It is but justice to say, that this is the first instance of misbehavior of any of the British officers toward our vessels-of-war that has come to my knowledge. According to all the representations that I have seen, the flag of the United States, and their officers and men, have been treated by the civil and military authority of the British nation in Nova Scotia, the West India islands, and on the ocean, with uniform civility, politeness, and friendship. I have no doubt that this first instance of misconduct will be readily corrected.

SPECIAL MESSAGE.

MARCH 2, 1799.

Gentlemen of the Senate and Gentlemen of the House of Representatives :—

JUDGING it of importance to the public that the legislature should be informed of the gradual progress of their maritime resources, I transmit to Congress a statement of the vessels, with their tonnage, warlike force, and complement of men, to which commissions, as private armed vessels, have been issued since the ninth of July last.

SPECIAL MESSAGE.

DECEMBER 19, 1799.

Gentlemen of the Senate and Gentlemen of the House of Representatives :—

THE letter herewith transmitted will inform you that it has pleased Divine Providence to remove from this life our excellent fellow-citizen, GEORGE WASHINGTON, by the purity of his character, and a long series of

services to his country, rendered illustrious through the world. It remains for an affectionate and grateful people, in whose hearts he can never die, to pay suitable honors to his memory.

SPECIAL MESSAGE.

DECEMBER 19, 1799.

Gentlemen of the House of Representatives :—

I RECEIVE, with great respect and affection, the condolence of the house of representatives, on the melancholy and affecting event, in the death of the most illustrious and beloved personage which this country ever produced. I sympathize with you, with the nation, and with good men through the world, in this irreparable loss sustained by us all.

SPECIAL MESSAGE.

JANUARY 6, 1800.

Gentlemen of the Senate and Gentlemen of the House of Representatives :—

In compliance with the request in one of the resolutions of Congress of the twenty-first of December last, I transmitted a copy of those resolutions, by my secretary, Mr. Shaw, to Mrs. Washington, assuring her of the profound respect Congress will ever bear to her person and character; of their condolence in the late afflicting dispensation of Providence; and entreating her assent to the interment of the remains of General George Washington in the manner expressed in the first resolution. As the sentiments of that virtuous lady, not less beloved by this nation than she is at present greatly afflicted, can never be so well expressed as in her own words, I transmit to Congress her original letter.

It would be an attempt of too much delicacy to make any comments upon it; but there can be no doubt that the nation at large, as well as all the branches of the government, will be highly gratified by any arrangement which may diminish the sacrifice she makes of her individual feelings.

SPECIAL MESSAGE.

JANUARY 14, 1800.

Gentlemen of the House of Representatives :—

As the enclosed letter, from a member of your house, received by me in the night of Saturday, the eleventh instant, relates to the privileges of the house, which, in my opinion, ought to be inquired into in the house itself, if anywhere, I have thought proper to submit the whole letter and its tendencies to your consideration, without any other comments on its matter or style: but, as no gross impropriety of conduct, on the part of persons holding commissions in the army or navy of the United States, ought to pass without due animadversion, I have directed the secretary of war and the secretary of the navy to investigate the conduct complained of, and to report to me without delay, such a statement of facts as will enable me to decide on the course which duty and justice shall appear to prescribe.

JEFFERSON'S CONFIDENTIAL MESSAGE,
RECOMMENDING A WESTERN EXPLORING EXPEDITION.

JANUARY 18, 1803.

Gentlemen of the Senate and of the House of Representatives :—

As the continuance of the act for establishing trading-houses with the Indian tribes, will be under the consideration of the legislature at its present session, I think it my duty to communicate the views which have guided me in the execution of that act, in order that you may decide on the policy of continuing it, in the present or any other form, or discontinue it altogether, if that shall, on the whole, seem most for the public good.

The Indian tribes residing within the limits of the United States, have, for a considerable time, been growing more and more uneasy at the constant diminution of the territory they occupy, although effected by their own voluntary sales; and the policy has long been gaining strength with them, of refusing absolutely all further sale, on any conditions; insomuch that, at this time, it hazards their friendship, and excites dangerous jealousies and perturbations in their minds to make any overture for the purchase of the smallest portions of their land. A very few tribes only are not yet obstinately in these dispositions. In order peaceably to counteract this policy of theirs, and to provide an extension of territory which the rapid increase of our numbers will call for, two measures are deemed expedient. First: to encourage them to abandon hunting, to apply to the raising stock, to agriculture and domestic manufactures, and thereby prove to themselves that less land and labor will maintain them in this, better than in their former mode of living. The extensive forests necessary in the hunting life will then become useless, and they will see advantage in exchanging them for the means of improving their farms and of increasing their domestic comforts. Secondly: to multiply trading-houses among them, and place within their reach those things which will contribute more to their domestic comfort than the possession of extensive but uncultivated wilds. Experience and reflection will develop to them the wisdom of exchanging what they can spare and we want, for what we can spare and they want. In leading them thus to agriculture, to manufactures, and civilization; in bringing together their and our settlements, and in preparing them ultimately to participate in the benefits of our government, I trust and believe we are acting for their greatest good. At these trading-houses we have pursued the principles of the act of Congress, which directs that the commerce shall be carried on liberally, and requires only that the capital stock shall not be diminished. We consequently undersell private traders, foreign and domestic; drive them from the competition; and thus, with the good will of the Indians, rid ourselves of a description of men who are constantly endeavoring to excite in the Indian mind suspicions, fears, and irritations toward us. A letter now enclosed, shows the effect of our competition on the operations of the traders, while the Indians, perceiving the advantage of purchasing from us, are soliciting generally our establishment of trading-houses among them. In one quarter this is particularly interesting. The legislature, reflecting on the late occurrences on the Mississippi, must be sensible

how desirable it is to possess a respectable breadth of country on that river, from our southern limit to the Illinois at least, so that we may present as firm a front on that as on our eastern border. We possess what is below the Yazoo, and can probably acquire a certain breadth from the Illinois and Wabash to the Ohio; but between the Ohio and Yazoo, the country all belongs to the Chickasaws, the most friendly tribe within our limits, but the most decided against the alienation of lands. The portion of their country most important for us is exactly that which they do not inhabit. Their settlements are not on the Mississippi, but in the interior country. They have lately shown a desire to become agricultural, and this leads to the desire of buying implements and comforts. In the strengthening and gratifying of these wants, I see the only prospect of planting on the Mississippi itself, the means of its own safety. Duty has required me to submit these views to the judgment of the legislature; but as their disclosure might embarrass and defeat their effect, they are committed to the special confidence of the two houses.

While the extension of the public commerce among the Indian tribes, may deprive of that source of profit such of our citizens as are engaged in it, it might be worthy the attention of Congress, in their care of individual as well as of the general interest, to point in another direction the enterprise of these citizens, as profitably for themselves, and more usefully for the public. The river Missouri, and the Indians inhabiting it, are not as well known as is rendered desirable by their connexion with the Mississippi, and consequently with us. It is, however, understood, that the country on that river is inhabited by numerous tribes, who furnish great supplies of furs and peltry to the trade of another nation, carried on in a high latitude, through an infinite number of portages and lakes, shut up by ice through a long season. The commerce on that line could bear no competition with that of the Missouri, traversing a moderate climate, offering, according to the best accounts, a continued navigation from its source, and possibly with a single portage, from the western ocean, and finding to the Atlantic a choice of channels through the Illinois or Wabash, the lakes and Hudson, through the Ohio and Susquehanna, or Potomac or James rivers, and through the Tennessee and Savannah rivers. An intelligent officer, with ten or twelve chosen men, fit for the enterprise, and willing to undertake it, taken from our posts, where they may be spared without inconvenience, might explore the whole line, even to the western ocean; have conferences with the natives on the subject of commercial intercourse; get admission among them for our traders, as others are admitted; agree on convenient deposits for an interchange of articles; and return with the information acquired, in the course of two summers. Their arms and accoutrements, some instruments of observation, and light and cheap presents for the Indians, would be all the apparatus they could carry, and with an expectation of a soldier's portion of land on their return, would constitute the whole expense. Their pay would be going on, whether here or there. While other civilized nations have encountered great expense to enlarge the boundaries of knowledge, by undertaking voyages of discovery, and for other literary purposes, in various parts and directions, our nation seem to owe to the same object, as well as to its own interests, to explore this, the only line of easy communication across the continent, and so directly traversing our own part of it. The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should inci-

dentally advance the geographical knowledge of our own continent, can not but be an additional gratification. The nation claiming the territory, regarding this as a literary pursuit, which it is in the habit of permitting within its own dominions, would not be disposed to view it with jealousy, even if the expiring state of its interests there did not render it a matter of indifference. The appropriation of two thousand five hundred dollars, "for the purpose of extending the external commerce of the United States," while understood and considered by the executive as giving the legislative sanction, would cover the undertaking from notice, and prevent the obstructions which interested individuals might otherwise previously prepare in its way.

VETO MESSAGES.

(Omitted in their proper places.)

WASHINGTON'S FIRST VETO MESSAGE.

APRIL 5, 1792.

Gentlemen of the House of Representatives:—

I HAVE maturely considered the act passed by the two houses, entitled "An act for an apportionment of representatives among the several states, according to the first enumeration;" and I return it to your house, wherein it originated, with the following objections:—

First. The constitution has prescribed that representatives shall be apportioned among the several states according to their respective numbers; and there is no one proportion or divisor, which, applied to the respective numbers of the states, will yield the number and allotment of representatives proposed by the bill.

Second. The constitution has also provided, that the number of representatives shall not exceed one for every thirty thousand; which restriction is, by the context, and by fair and obvious construction, to be applied to the separate and respective numbers of the states. And the bill has allotted to eight of the states more than one for every thirty thousand.

WASHINGTON'S SECOND VETO MESSAGE.

FEBRUARY 28, 1797.

Gentlemen of the House of Representatives:—

HAVING maturely considered the bill to alter and amend an act, entitled "An act to ascertain and fix the military establishment of the United States," which was presented to me on the twenty-second day of this month, I now return it to the house of representatives, in which it originated, with my objections:—

First. If the bill passes into a law, the two companies of light dragoons will be found that moment *legally* out of service, though they will after-

ward continue *actually* in service ; and for their services during this interval, namely, from the time of *legal*, to the time of *actual* discharge, it will not be lawful to pay them, unless some future provisions be made by law. Though they may be discharged at the pleasure of Congress, in justice they ought to receive their pay, not only at the time of passing the law, but at least to the time of their actual discharge.

Secondly. It will be inconvenient and injurious to the public to dismiss the light dragoons as soon as notice of the law can be conveyed to them, one of the companies having been lately destined to a necessary and important service.

Thirdly. The companies of light dragoons consist of one hundred and twenty-six non-commissioned officers and privates, who are bound to serve as dismounted dragoons, when ordered so to do. They have received, in bounties, about two thousand dollars ; one of them is completely equipped ; and above half of the non-commissioned officers and privates have yet to serve more than one third of the time of their enlistment ; and besides, there will, in the course of the year, be a considerable deficiency in the complement of infantry intended to be continued. Under these circumstances, to discharge the dragoons does not seem to comport with economy.

Fourthly. It is generally agreed that some cavalry, either militia or regular, will be necessary ; and according to the best information I have been able to obtain, it is my opinion that the latter will be less expensive and more useful than the former, in preserving peace between the frontier settlers and the Indians ; and therefore a part of the military establishment should be cavalry.

MADISON'S VETO MESSAGE.

MARCH 3, 1817.

To the House of Representatives of the United States :—

HAVING considered the bill this day presented to me, entitled "An act to set apart and pledge certain funds for internal improvements," and which sets apart and pledges funds "for constructing roads and canals, and improving the navigation of water-courses, in order to facilitate, promote, and give security to internal commerce among the several states, and to render more easy and less expensive the means and provisions for the common defence," I am constrained, by the insuperable difficulty I feel in reconciling the bill with the constitution of the United States, to return it, with that objection, to the house of representatives, in which it originated.

The legislative powers vested in Congress are specified and enumerated in the eighth section of the first article of the constitution ; and it does not appear that the power proposed to be exercised by this bill is among the enumerated powers, or that it falls, by any just interpretation, within the power to make laws necessary and proper for carrying into execution those or other powers vested by the constitution in the government of the United States.

"The power to regulate commerce among the several states," can not include a power to construct roads and canals, and to improve the naviga-

tion of water-courses, in order to facilitate, promote, and secure such a commerce, without a latitude of construction, departing from the ordinary import of the terms, strengthened by the known inconveniences which doubtless led to the grant of this remedial power to Congress. To refer the power in question to the clause "to provide for the common defence and general welfare," would be contrary to the established and consistent rules of interpretation, as rendering the special and careful enumeration of powers which follow the clause nugatory and improper. Such a view of the constitution would have the effect of giving to Congress a general power of legislation, instead of the defined and limited one hitherto understood to belong to them; the terms "common defence and general welfare" embracing every object and act within the purview of a legislative trust. It would have the effect of subjecting both the constitution and laws of the several states, in all cases not specifically exempted, to be superseded by laws of Congress; it being expressly declared, "that the constitution of the United States, and laws made in pursuance thereof, shall be the supreme law of the land, and the judges of every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." Such a view of the constitution, finally, would have the effect of excluding the judicial authority of the United States from its participation in guarding the boundary between the legislative powers of the general and of the state governments, inasmuch as questions relating to the general welfare, being questions of policy and expediency, are unsusceptible of judicial cognizance and decision.

A restriction of the power "to provide for the common defence and general welfare," to cases which are to be provided for by the expenditure of money, would still leave within the legislative power of Congress all the great and most important measures of government, money being the ordinary and necessary means of carrying them into execution.

If a general power to construct roads and canals, and to improve the navigation of water-courses, with the train of powers incident thereto, be not possessed by Congress, the assent of the states, in the mode provided by the bill, can not confer the power. The only cases in which the consent and cession of particular states can extend the power of Congress, are those specified and provided for in the constitution.

I am not unaware of the great importance of roads and canals, and the improved navigation of water-courses, and that a power in the national legislature to provide for them, might be exercised with signal advantage to the general prosperity. But seeing that such a power is not expressly given by the constitution, and believing it can not be deduced from any part of it, without an inadmissible latitude of construction, and a reliance on insufficient precedents; believing, also, that the permanent success of the constitution depends on a definite partition of powers between the general and the state governments, and that no adequate landmarks would be left by the constructive extension of the powers of Congress, as proposed in the bill. I have no option but to withhold my signature from it, cherishing the hope that its beneficial object may be attained, by a resort, for the necessary powers, to the same wisdom and virtue in the nation which established the constitution in its actual form, and providently marked out, in the instrument itself, a safe and practicable mode of improving it, as experience might suggest.

JACKSON'S LAND BILL VETO.

DECEMBER 4. 1833.

To the Senate of the United States :—

AT the close of the last session of Congress I received from that body a bill entitled "An act to appropriate for a limited time the proceeds of the sales of the public lands of the United States and for granting lands to certain states." The brief period then remaining before the rising of Congress, and the extreme pressure of official duties, unavoidable on such occasions, did not leave me sufficient time for that full consideration of the subject which was due to its great importance. Subsequent consideration and reflection have, however, confirmed the objections to the bill which presented themselves to my mind upon its first perusal, and have satisfied me that it ought not to become a law. I felt myself, therefore, constrained to withhold from it my approval, and now return it to the senate, in which it originated, with the reasons on which my dissent is founded.

I am fully sensible of the importance, as it respects both the harmony and union of the states, of making, as soon as circumstances will allow of it, a proper and final disposition of the whole subject of the public lands : and any measure for that object, providing for the reimbursement of the United States of those expenses with which they are justly chargeable, that may be consistent with my views of the constitution, sound policy, and the rights of the respective states, will readily receive my co-operation. This bill, however, is not of that character. The arrangement it contemplates is not permanent, but limited to five years only ; and in its terms appears to anticipate alterations within that time, at the discretion of Congress ; and it furnishes no adequate security against those continued agitations of the subject which it should be the principal object of any measure for the disposition of the public lands to avert.

Neither the merits of the bill under consideration, nor the validity of the objections which I have felt it to be my duty to make to its passage, can be correctly appreciated without a full understanding of the manner in which the public lands upon which it is intended to operate, were acquired, and the conditions upon which they are now held by the United States. I will, therefore, precede the statement of those objections by a brief and distinct exposition of these points.

The waste lands within the United States constituted one of the early obstacles to the organization of any government for the protection of their common interests. In October, 1777, while Congress were framing the articles of confederation, a proposition was made to amend them to the following effect, viz :—

"That the United States in Congress assembled, shall have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim to the Mississippi or South sea, and lay out the land beyond the boundary so ascertained into separate and independent states, from time to time, as the numbers and circumstances of the people thereof may require."

It was, however, rejected, Maryland only voting for it ; and so difficult did the subject appear, that the patriots of that body agreed to waive it in the articles of confederation, and leave it for future settlement.

On the submission of the articles to the several state legislatures for ratification, the most formidable objection was found to be in this subject of the waste lands. Maryland, Rhode Island, and New Jersey, instructed their delegates in Congress to move amendments to them, providing that the waste or crown lands should be considered the common property of the United States; but they were rejected. All the states, except Maryland, acceded to the articles, notwithstanding some of them did so with the reservation, that their claim to those lands, as common property, was not thereby abandoned.

On the sole ground that no declaration to that effect was contained in the articles, Maryland withheld her assent, and in May, 1779, imbodyed her objections in the form of instructions to her delegates, which were entered upon the journals of Congress. The following extracts are from that document, viz:—

“Is it possible that those states who are ambitiously grasping at territories, to which in our judgment they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power, derived from those territories, when acquired, than what they have displayed in their endeavors to acquire them?” &c., &c.

“We are convinced, policy and justice require, that a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty at Paris, if wrested from the common enemy by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress into free, convenient and independent governments, in such manner and at such times as the wisdom of that assembly shall hereafter direct,” &c., &c.

Virginia proceeded to open a land office for the sale of her western lands, which produced such excitement as to induce Congress in October, 1779, to interpose and earnestly recommend to “the said state and all states similarly circumstanced, to forbear settling or issuing warrants for such unappropriated lands, or granting the same during the continuance of the present war.”

In March, 1780, the legislature of New York passed an act tendering a cession to the United States of the claims of that state to the western territory, preceded by a preamble to the following effect, viz:—

“Whereas nothing under Divine Providence can more effectually contribute to the tranquillity and safety of the United States of America, than a federal alliance on such liberal principles as will give satisfaction to its respective members; and whereas, the articles of confederation and perpetual union, recommended by the honorable Congress of the United States of America, have not proved acceptable to all the states, it having been conceived that a portion of the waste and uncultivated territory within the limits or claims of certain states, ought to be appropriated as a common fund for the expenses of the war; and the people of the state of New York, being on all occasions disposed to manifest their regard for their sister states and their earnest desire to promote the general interest and security, and more especially to accelerate the federal alliance, by removing, as far as it depends upon them, the before-mentioned impediment to its final accomplishment,” &c.

This act of New York, the instructions of Maryland, and a remonstrance of Virginia, were referred to a committee of Congress, who reported a preamble and resolutions thereon, which were adopted on the 6th of

September, 1780; so much of which as is necessary to elucidate the subject is to the following effect, viz:—

"That it appears advisable to press upon those states which can remove the embarrassments respecting the western country, a liberal surrender of a portion of their territorial claims, since they can not be preserved entire without endangering the stability of the general confederacy; to remind them how indispensably necessary it is to establish the federal union on a fixed and permanent basis and on principles acceptable to all its respective members; how essential to public credit and confidence, to the support of our army, to the vigor of our councils and success of our measures, to our tranquillity at home, our reputation abroad, to our very existence as a free, sovereign, and independent people; that they are fully persuaded the wisdom of the several legislatures will lead them to a full and impartial consideration of a subject so interesting to the United States, and so necessary to the happy establishment of the federal union, that they are confirmed in these expectations by a review of the before-mentioned act of the legislature of New York, submitted to their consideration," &c.

"*Resolved*, That copies of the several papers, referred to the committee, be transmitted, with a copy of the report, to the legislatures of the several states, and that it be earnestly recommended to those states who have claims to the western country, to pass such laws and give their delegates in Congress such powers as may effectually remove the only obstacle to a final ratification of the articles of confederation; and that the legislature of Maryland be earnestly requested to authorize their delegates in Congress to subscribe to the said articles."

Following up this policy, Congress proceeded, on the 10th October, 1780, to pass a resolution pledging the United States to the several states as to the manner in which any lands that might be ceded by them should be disposed of, the material parts of which are as follows, viz:—

"*Resolved*, That the unappropriated lands which may be ceded or relinquished to the United States, by any particular state pursuant to the recommendation of Congress of the 6th day of September last, shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom, and independence as the other states," &c. "That the said lands shall be granted or settled at such times and under such regulations as shall hereafter be agreed on by the United States in Congress assembled, or nine or more of them."

In February, 1781, the legislature of Maryland passed an act authorizing their delegates in Congress to sign the articles of confederation. The following are extracts from the preamble and body of the act, viz:—

"Whereas it hath been said that the common enemy is encouraged by this state not acceding to the confederation, to hope that the union of the sister states may be dissolved, and therefore prosecutes the war in expectation of an event so disgraceful to America; and our friend and illustrious ally are impressed with an idea that the common cause would be promoted by our formally acceding to the confederation," &c.

The act of which this is the preamble, authorizes the delegates of that state to sign the articles, and proceeds to declare, "that by acceding to the said confederation, this state doth not relinquish, nor intend to relinquish, any right or interest she hath, with the other united or confederated states to the back country," &c., &c.

On the 1st of March, 1781, the delegates of Maryland signed the articles of confederation, and the federal union under that compact was complete. The conflicting claims to the western lands, however, were not disposed of, and continued to give great trouble to Congress. Repeated and urgent calls were made by Congress upon the states claiming them, to make liberal cessions to the United States, and it was not until long after the present constitution was formed, that the grants were completed.

The deed of cession from New York was executed on the 1st of March, 1781, the day the articles of confederation were ratified, and it was accepted by Congress on the 29th October, 1782. One of the conditions of this cession thus tendered and accepted, was, that the lands ceded to the United States "*shall be and enure for the use and benefit of such of the United States, as shall become members of the federal alliance of the said states, and for no other use or purpose whatsoever.*"

The Virginia deed of cession was executed and accepted on the 1st day of March, 1784. One of the conditions of this cession is as follows, viz :—

"That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, *shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.*"

Within the years 1785, 1786, and 1787, Massachusetts, Connecticut, and South Carolina, ceded their claims upon similar conditions. The federal government went into operation under the existing constitution on the 4th of March, 1789. The following is the only provision of that constitution which has a direct bearing on the subject of the public lands, viz :—

"The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

Thus the constitution left all the compacts before made in full force, and the right of all parties remained the same under the new government as they were under the confederation.

The deed of cession of North Carolina was executed in December, 1789, and accepted by an act of Congress approved April 2, 1790. The third condition of the cession was in the following words, viz :—

"That all the lands intended to be ceded by virtue of this act to the United States of America, and not appropriated as before mentioned, shall be considered as a common fund for the use and benefit of the United States of America, North Carolina inclusive, according to their respective and usual proportions of the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever."

The cession of Georgia was completed on the 16th June, 1802, and in its leading condition, is precisely like that of Virginia and North Carolina. This grant completed the title of the United States to all those lands, generally called *public lands*, lying within the original limits of the con-

federacy. Those which have been acquired by the purchase of Louisiana and Florida, having been paid for out of the common treasure of the United States, are as much the property of the general government, to be disposed of for the common benefit, as those ceded by the several states.

By the facts here collected from the early history of our republic, it appears that the subject of the public lands entered into the elements of its institutions. It was only upon the condition that those lands should be considered as common property, to be disposed of for the benefit of the United States, that some of the states agreed to come into a "perpetual union." The states claiming those lands, acceded to those views, and transferred their claims to the United States upon certain specific conditions, and on those conditions the grants were accepted. These solemn compacts, invited by Congress in a resolution declaring the purposes to which the proceeds of these lands should be applied, originating before the constitution, and forming the basis on which it was made, bound the United States to a particular course of policy in relation to them, by ties as strong as can be invented to secure the faith of nations.

As early as May, 1785, Congress, in execution of these compacts, passed an ordinance, providing for the sales of lands in the western territory, and directing the proceeds to be paid into the treasury of the United States. With the same object other ordinances were adopted prior to the organization of the present government.

In further execution of these compacts, the Congress of the United States under the present constitution, as early as the 4th of August, 1790, in "An act making provision for the debt of the United States," enacted as follows, viz:—

"That the proceeds of sales which shall be made of lands in the western territory, now belonging or that may hereafter belong to the United States, shall be, and are hereby appropriated toward sinking or discharging the debts for the payment whereof the United States now are, or by virtue of this act may be holden, and shall be applied solely to that use until the said debt shall be fully satisfied."

To secure the government of the United States for ever, the power to execute those compacts in good faith, the Congress of the confederation as early as July 13th, 1787, in an ordinance for the government of the territory of the United States northwest of the river Ohio, prescribed to the people inhabiting the western territory certain conditions which were declared to be "articles of compact between the original states and the people and states in the said territory" which should "for ever remain unalterable, unless by common consent." In one of these articles it is declared that—

"The legislatures of those districts or new states shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulation Congress may find necessary for securing the title in such soil to the *bona fide* purchasers."

This condition has been exacted from the people of all the new territories; and to put its obligation beyond dispute, each new state, carved out of the public domain, has been required explicitly to recognize it as one of the conditions of admission into the union. Some of them have declared through their conventions in separate acts that their people "for ever disclaim all right and title to the waste and unappropriated lands lying within this state, and that the same shall be and remain at the sole and entire disposition of the United States."

With such care have the United States reserved to themselves, in all their acts down to this day—in legislating for the territories and admitting states into the Union—the unshackled power to execute in good faith the compacts of cession made with the original states. From these facts and proceedings it plainly and certainly results:—

1. That one of the fundamental principles on which the confederation of the United States was originally based, was, that the waste lands of the west within their limits, should be the common property of the United States.

2. That those lands were ceded to the United States by the states which claimed them, and the cessions were accepted, on the express condition that they should be disposed of for the common benefit of the states, according to their respective proportions in the general charge and expenditure, and for no other purpose whatsoever.

3. That in execution of these solemn compacts, the Congress of the United States did, under the confederation, proceed to sell these lands and put the avails into the common treasury; and, under the new constitution, did repeatedly pledge them for the payment of the public debt of the United States, by which each state was expected to profit in proportion to the general charge to be made upon it for that object.

These are the first principles of this whole subject, which I think can not be contested by any one who examines the proceedings of the revolutionary Congress, the cessions of the several states, and the acts of Congress under the new constitution. Keeping them deeply impressed upon the mind, let us proceed to examine how far the objects of the cessions have been completed, and see whether those compacts are not still obligatory upon the United States.

The debt for which these lands were pledged by Congress, may be considered as paid, and they are consequently released from that lien. But that pledge formed no part of the compacts with the states, or of the conditions upon which the cessions were made. It was a contract between new parties—between the United States and their creditors. Upon payment of the debts the compacts remain in full force, and the obligation of the United States, to dispose of the lands for the common benefit is neither destroyed or impaired. As they can not now be executed in that mode, the only legitimate question which can arise is, in what other way are these lands to be hereafter disposed of for the common benefit of the several states, “*according to their respective and usual proportion in the general charge and expenditure.*” The cessions of Virginia, North Carolina, and Georgia, in express terms, and all the rest impliedly, not only provide thus specifically the proportion according to which each state shall profit by the proceeds of the land sales, but they proceed to declare, that they shall be “*faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.*” This is the fundamental law of the land at this moment, growing out of compacts which are older than the constitution, and formed the corner-stone on which the Union itself was erected.

In the practice of the government, the proceeds of the public lands have not been set apart as a *separate fund* for the payment of the public debt, but have been and are now paid into the treasury, where they constitute a part of the aggregate of the revenue upon which the government draws as well for its current expenditures as for payment of the public debt. In this manner they have heretofore and do now lessen the general charge

upon the people of the several states in the exact proportions stipulated in the compacts.

These general charges have been composed not only of the public debt and the unusual expenditures attending the civil and military administrations of the government, but of the amounts paid to the states with which these compacts were formed, the amounts paid the Indians for their right of possession, amounts paid for the purchase of Louisiana and Florida, and the amounts paid surveyors, registers, receivers, clerks, &c., employed in preparing for market and selling the western domain.

From the origin of the land system down to September 30, 1832, the amount expended for all these purposes has been about \$49,701,280—and the amount received from the sales, deducting payments on account of roads, &c., \$38,386,624. The revenue arising from the public lands, therefore, has not been sufficient to meet the general charges on the treasury which have grown out of them, by about \$11,314,656. Yet, in having been applied to lessen those charges, the conditions of the compacts have been thus far fulfilled, and each state has profited according to its usual proportion in the general charge and expenditure. The annual proceeds of land sales have increased and the charges have diminished, so that at a reduced price those lands would now defray all current charges growing out of them, and save the treasury from further advances on their account. Their original intent and object, therefore, would be accomplished as fully as it has hitherto been, by reducing the price, and hereafter, as heretofore, bringing the proceeds into the treasury. Indeed, as this is the only mode in which the objects of the original compacts can be attained, it may be considered for all practical purposes, that it is one of their requirements.

The bill before me begins with an entire subversion of every one of the compacts by which the United States became possessed of their western domain, and treats the subject as if they never had existence, and as if the United States were the original and unconditional owners of all the public lands. The first cession directs—

“That from and after the 31st day of December, 1832, there shall be allowed and paid to each of the states of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, and Louisiana, over and above what each of the said states is entitled to by the terms of the compacts entered into between them respectively upon their admission into the Union and the United States, the sum of twelve and a half per centum upon the net amount of sales of the public lands which subsequent to the day aforesaid shall be made within the several limits of the said states; which said sum of twelve and a half per centum shall be applied to some object or objects of internal improvements or education within the said states under the direction of the several legislatures.”

This twelve and a half per centum is to be taken out of the net proceeds of the land sales before any apportionments is made; and the same seven states which are first to receive this proportion, are also to receive their due proportion of the residue, according to the ratio of general distribution.

Now, waiving all considerations of equity or policy in regard to this provision, what more need be said to demonstrate its objectionable character than that it is in direct and undisguised violation of the pledge given by Congress to the states before a single cession was made; that it abrogates the condition upon which some of the states come into the Union; and that it sets at naught the terms of cession spread upon the

face of every grant under which the title to that portion of the public lands is held by the federal government.

In the apportionment of the remaining seven-eighths of the proceeds, this bill, in a manner equally undisguised, violates the conditions upon which the United States acquired title to the ceded lands. Abandoning altogether the ratio of distribution according to the general charge and expenditure, provided by the compacts, it adopts that of the federal representative population. Virginia, and other states, which ceded their lands upon the express condition, that they should receive a benefit from their sales, in proportion to their part of the general charge, are by the bill allowed only a portion, of seven-eighths of their proceeds, and that not in the proportion of general charge and expenditure, but in the ratio of their federal representative population.

The constitution of the United States did not delegate to Congress the power to abrogate these compacts. On the contrary, by declaring that nothing in it "*shall be so construed as to prejudice any claims of the United States or of any particular state,*" it virtually provides that these compacts, and the rights they secure, shall remain untouched by the legislative power, which shall only make all "*needful rules and regulations,*" for carrying them into effect. All beyond this would seem to be an assumption of the undelegated power.

These ancient compacts are invaluable monuments of an age of virtue, patriotism, and disinterestedness. They exhibit the price that great states, which had won liberty, were willing to pay for that union, without which they plainly saw it could not be preserved. It was not for territory or state power, that our revolutionary fathers took up arms; it was for individual liberty, and the right of self-government. The expulsion from the continent of British armies and British power, was to them a barren conquest, if, through the collisions of the redeemed states, the individual rights for which they fought, should become the prey of petty military tyrannies, established at home. To avert such consequences, and throw around liberty the shield of union, states, whose relative strength at the time, gave them a preponderating power, magnanimously sacrificed domains, which would have made them the rivals of empires, only stipulating that they should be disposed of for the common benefit of themselves and the other confederate states. This enlightened policy produced union, and has secured liberty. It has made our waste lands to swarm with the busy people, and added many powerful states to our confederation. As well for the fruits which these noble works of our ancestors have produced, as for the devotedness in which they originated, we should hesitate before we demolish them.

But there are other principles asserted in the bill which should have impelled me to withhold my signature, had I not seen in it a violation of the compacts by which the United States acquired title to a large portion of public lands. It reasserts the principle contained in the bill authorizing a subscription to the stock of the Maysville, Washington, Paris, and Lexington turnpike-road company, from which I was compelled to withhold my consent for reasons contained in my message on the 27th May, 1830, to the house of representatives.

The leading principle then asserted was, that Congress possesses no constitutional power to appropriate any part of the moneys of the United States for objects of a local character, within the states. That principle, I can not be mistaken in supposing, has received the unequivocal sanction

of the American people, and all subsequent reflection has but satisfied me more thoroughly, that the interests of our people, and the purity of our government, if not its existence, depend on its observance. The public lands are the common property of the United States, and the moneys arising from their sales, are a part of the public revenue. This bill proposes to raise from and appropriate a portion of this public revenue to certain states, providing expressly, that it shall "*be applied to objects of internal improvement or education within those states,*" and then proceeds to appropriate the balance to all the states, with the declaration, that it shall be applied "*to such purpose as the legislatures of the said respective states shall deem proper.*" The former appropriation is expressly for internal improvement or education, without qualification as to the kind of improvements, and therefore in express violation of the principle maintained in my objections to the turnpike-road bill, above referred to. The latter appropriation is more broad, and gives the money to be applied to any local purpose whatsoever. It will not be denied that under the provisions of the bill, a portion of the money might have been applied to making the very road to which the bill of 1830 had reference, and must of course come within the scope of the same principle. If the money of the United States can not be applied to local purposes "through its own agents," as little can it be permitted to be thus expended "through the agency of the state governments."

It has been supposed that with all the reductions in our revenue which could be speedily effected by Congress, without injury to the substantial interests of the country, there might be for some years to come a surplus of moneys in the treasury, and that there was, in principle, no objection to returning them to the people by whom they were paid. As the literal accomplishment of such an object is obviously impracticable, it was thought admissible, as the nearest approximation to it, to hand them over to the state governments, the more immediate representatives of the people, to be by them applied to the benefit of those to whom they properly belonged. The principle and the object was, to return to the people an unavoidable surplus of revenue, which might have been paid by them under a system which could not at once be abandoned; but even this resource, which at one time seemed to be almost the only alternative to save the general government from grasping unlimited power over internal improvements, was suggested with doubts of its constitutionality.

But this bill assumes a new principle. Its object is not to return to the people an unavoidable surplus of revenue paid in by them, but to create a surplus for distribution among the states. It seizes the entire proceeds of one source of revenue and sets them apart as a surplus, making it necessary to raise the moneys for supporting the government and meeting the general charges from other sources. It even throws the entire land system upon the customs for its support, and makes the public lands a perpetual charge upon the treasury. It does not return to the people, moneys accidentally or unavoidably paid by them to the government, by which they are not wanted; but compels the people to pay moneys into the treasury for the mere purpose of creating a surplus for distribution to their state governments.

If this principle be once admitted, it is not difficult to perceive to what consequences it may lead. Already this bill, by throwing the land system on the revenues from imports for support, virtually distributes among the states a part of those revenues. The proportion may be increased from

time to time, without any departure from the principle now asserted, until the state governments shall derive all the funds necessary for their support from the treasury of the United States ; or, if a sufficient supply should be obtained by some states and not by others, the deficient states might complain, and to put an end to all further difficulty, Congress, without assuming any new principle, need go but one step further and put the salaries of all the state governors, judges, and other officers, with a sufficient sum for other expenses, in their general appropriation bill.

It appears to me that a more direct road to consolidation can not be devised. Money is power, and in that government which pays all the public officers of the states, will all political power be substantially concentrated. The state governments, if governments they might be called, would lose all their independence and dignity—the economy which now distinguishes them would be converted into a profusion, limited only by the extent of the supply. Being the dependants of the general government, and looking to its treasury as the source of all their emoluments, the state officers, under whatever names they might pass, and by whatever forms their duties might be prescribed, would in effect be the mere stipendiaries and instruments of the central power.

I am quite sure that the intelligent people of our several states will be satisfied, on a little reflection, that it is neither wise nor safe to release the members of their local legislatures from the responsibility of levying the taxes necessary to support their state governments and vest it in Congress, over most of whose members they have no control.

They will not think it expedient that Congress shall be the tax-gatherer and paymaster of all their state governments, thus amalgamating all their officers into one mass of common interest and common feeling. It is too obvious that such a course would subvert our well-balanced system of government, and ultimately deprive us of all the blessings now derived from our happy Union.

However willing I might be, that any unavoidable surplus in the treasury should be returned to the people through their state governments, I can not assent to the principle that a surplus may be created for the purpose of distribution. Viewing this bill as in effect assuming the right, not only to create a surplus for that purpose, but to divide the contents of the treasury among the states without limitation, from whatever source they may be derived, and asserting the power to raise and appropriate money for the support of every state government and institution, as well as for making every local improvement, however trivial, I can not give it my assent.

It is difficult to perceive what advantages would accrue to the old states or the new, from the system of distribution which this bill proposes, if it were otherwise objectionable. It requires no argument to prove that, if three millions of dollars a year, or any other sum, shall be taken out of the treasury by this bill for distribution, it must be replaced by the same sum collected from the people through some other means. The old states will receive annually a sum of money from the treasury, but they will pay in a larger sum, together with the expense of collection and distribution. It is only their proportion of *seven-eighths* of the proceeds of land sales which they are to receive, but they must pay their due proportion of the *whole*. Disguise it as we may, the bill proposes to them a dead loss, in the ratio of *eight to seven*, in addition to expenses and other incidental losses. This assertion is not the less true because it may not at first be palpable.

Their receipts will be in large sums, but their payments in small ones. The governments of the states will receive *seven* dollars for which the people of the states will pay *eight*. The large sums received will be palpable to the senses; the small sums paid, it requires thought to identify. But a little consideration will satisfy the people that the effect is the same as if *seven hundred dollars* were given them from the public treasury, for which they were at the same time required to pay in taxes, direct or indirect, *eight hundred*.

I deceive myself greatly if the new states would find their interests promoted by such a system as this bill proposes. Their true policy consists in the rapid settling and improvement of the waste lands within their limits. As a means of hastening those events, they have long been looking to a reduction in the price of public lands upon the final payment of the national debt. The effect of the proposed system would be to prevent that reduction. It is true, the bill reserves to Congress the power to reduce the price, but the effect of its details, as now arranged, would probably be for ever to prevent its exercise.

With the just men who inhabit the new states, it is a sufficient reason to reject this system, that it is in violation of the fundamental laws of the republic and its constitution. But if it were a mere question of interest or expediency, they would still reject it. They would not sell their bright prospects of increasing wealth and growing power at such a price. They would not place a sum of money to be paid into their treasuries, in competition with the settlement of their waste lands, and the increase of their population. They would not consider a small or a large annual sum to be paid to their governments and immediately expended, as an equivalent for that enduring wealth which is composed of flocks and herds, and cultivated farms. No temptation will allure them from that object of abiding interest, the settlement of their waste lands, and the increase of a hardy race of free citizens, their glory in peace, and their defence in war.

On the whole, I adhere to the opinion expressed by me in my annual message of 1832, that it is our true policy that the public lands shall cease as soon as practicable to be a source of revenue, except for the payment of those general charges which grow out of the acquisition of the lands, their survey and sale. Although these expenses have not been met by the proceeds of sales heretofore, it is quite certain they will be hereafter, even after a considerable reduction in the price. By meeting in the treasury so much of the general charge as arises from that source, they will heretofore, as they have been heretofore, be disposed of for the common benefit of the United States, according to the compacts of cession. I do not doubt that it is the real interest of each and all the states in the Union, and particularly of the new states, that the price of these lands shall be reduced and graduated, and that after they have been offered for a certain number of years, the refuse remaining unsold shall be abandoned to the states, and the machinery of our land system entirely withdrawn. It can not be supposed the compacts intended that the United States should retain for ever a title to lands within the states which are of no value, and no doubt is entertained that the general interest would be best promoted by surrendering such lands to the states.

This plan for disposing of the public lands impairs no principle, violates no compact, and deranges no system. Already has the price of those lands been reduced from two dollars per acre to one dollar and a quarter, and upon the will of Congress, it depends whether there shall be a further reduction. While the burdens of the east are diminishing by the reduction of the duties upon imports, it seems but equal justice that the chief burden of the west should be lightened in an equal degree at least. It would be just to the old states and the new, conciliate every interest, disarm the subject of all its dangers, and add another guaranty to the perpetuity of our happy Union.

Sensible, however, of the difficulties which surround this important subject, I can only add to my regrets, at finding myself again compelled to disagree with the legislative power, the sincere declaration that any plan which shall promise a final and satisfactory disposition of the question, and be compatible with the constitution and public faith, shall have my hearty concurrence.

DOCUMENTS,
HISTORICAL AND STATISTICAL

HISTORICAL SKETCH OF THE AMERICAN UNION.

A brief History of the Events and Circumstances which led to the Union of the States, and the formation of the Constitution.

IN the early history of the New England colonies, we find the first instance of the association of the people of America for mutual defence and protection, while they owed allegiance to the British crown. In 1643, the colonies of Massachusetts, Plymouth, Connecticut, and New Haven, under the impression of danger from the surrounding tribes of Indians, entered into a league, offensive and defensive, firm and perpetual, under the name of the United Colonies of New England. They vested in an annual congress of commissioners, delegated from each colony, the authority to regulate their general concerns, and especially to levy war and make requisitions of men and money, upon the several members of the union in a ratio to their respective numbers. This confederacy subsisted for upward of forty years, and, for part of the time, with the countenance of the government in England, and was dissolved under King James II., in the year 1686.

This association is generally considered as the foundation of subsequent efforts for a more extensive and perfect union of the British North American colonies; and the people of this country continued, after the dissolution of this league, to afford other instructive precedents of associations for their safety. A congress of governors and commissioners from other colonies, as well as from New England, was occasionally held, the better to make arrangements for the protection of their interior frontier, of which we have an instance at Albany, in the year 1722; and a much more interesting congress was held at the same place in the year 1754, which consisted of commissioners from the colonies of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland. It was called at the instance of the British government, to take into consideration the best means of defending America, as a war with France was then apprehended. The object of the British government, in calling this congress, was to effect treaties with the Indian tribes; but the commissioners, among whom was Dr. Franklin, and other distinguished

men in the colonies, had more enlarged views. They asserted and promulgated some invaluable truths, the proper reception of which in the minds of their countrymen prepared the way for their future independence and union. The commissioners unanimously resolved that a union of the colonies was absolutely necessary for their preservation. They likewise rejected all proposals for a division of the colonies into separate confederacies, and adopted a plan of federal government, drawn up by Dr. Franklin, consisting of a general council of delegates, to be chosen by the provincial assemblies, and a president general to be appointed by the crown. In this council were proposed to be vested, subject to the negative of the president, many of the rights of war and peace, and the right to lay and levy imposts and taxes; and the union was to embrace all the colonies from New Hampshire to Georgia. But the times were not yet ripe, nor the minds of men sufficiently enlarged, for such a comprehensive proposition; and this bold project for a continental union, had the singular fate of being rejected, not only by the king, but by every provincial assembly. We were to remain some years longer separate and alien commonwealths, emulous of each other in obedience to the parent state, but jealous of each other's prosperity, and divided by policy, interest, prejudice, and manners. So strong was the force of these considerations, and so exasperated were the people of the colonies against each other in their disputes about boundaries, that Dr. Franklin, in the year 1761, observed, that a union of the colonies was absolutely impossible, or at least without being forced by the most grievous tyranny and oppression.*

The seeds of union, however, had been sown, and its principles were to gather strength and advance toward maturity, when the season of common danger approached. When the first attempt upon our liberties was made by the British government, by the passage of the stamp act, in 1765, a congress of delegates from nine colonies assembled in New York, in October of that year, at the instance and recommendation of Massachusetts. The colonies of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina, were represented. This congress adopted a declaration of rights, in which the sole power of taxation was asserted to reside in the colonial legislatures, and they also declared, that the restrictions imposed by several late acts of parliament on the colonies were burdensome, and would render them unable to purchase the manufactures of Great Britain. An address to the king, and a petition to each house of parliament, were adopted.

These state papers evince the talents, as well as firmness, tempered with wisdom and moderation, of this first American congress; composed, as it was, of some of the most distinguished statesmen from the several colonies therein represented.†

* Kent's Historical Lecture in 1786.

† Pitkin.

The congress of 1765, was only a preparatory step to a more extensive and permanent union, which took place at Philadelphia, in September, 1774, and thereby laid the foundations of this great republic. The more serious and impending oppressions of the British parliament at this last critical era, induced the twelve colonies which spread over this vast continent, from Nova Scotia to Georgia, to an interchange of political opinions, and to concur in choosing and sending delegates to Philadelphia, "with authority and direction to meet and consult together for the common welfare." The assembling of this congress was first recommended by a town-meeting of the people of Providence, Rhode Island, followed by the colonial assemblies of Massachusetts and Virginia, and by other public bodies and meetings of the people. In some of the legislatures of the colonies, delegates were appointed by the popular or representative branch; and in other cases, they were appointed by conventions of the people in the colonies. The congress of delegates (calling themselves, in their more formal acts, "the delegates appointed by the *good people* of these colonies") assembled on the 4th of September, 1774; and having chosen officers, they adopted certain fundamental rules for their proceedings. All the colonies were represented, except Georgia.

Thus was organized, under the auspices, and with the consent, of the people, acting directly in their primary, sovereign capacity, and without the intervention of the functionaries to whom the ordinary powers of government were delegated in the colonies, the first general or national government, which has been very aptly called "the revolutionary government," since, in its origin and progress, it was wholly conducted upon revolutionary principles. The congress, thus assembled, exercised, *de facto* and *de jure*, a sovereign authority; not as the delegated agents of the governments *de facto* of the colonies, but in virtue of original powers derived from the people. The revolutionary government thus formed, terminated only when it was regularly superseded by the confederated government, under articles finally ratified, as we shall see, in 1781.*

The first and most important of their acts was a declaration, that in determining questions in this congress, each colony or province should have one vote; and this became the established course during the revolution. They proposed a general congress to be held at the same place in May, in the next year. They appointed committees to take into consideration their rights and grievances; asserted by number of declaratory resolutions, what they deemed to be the unalienable rights of English freemen; pointed out to their constituents the system of violence which was preparing against those rights; and bound them by the most sacred of all ties, the ties of honor and their country, to renounce commerce with Great Britain, as being the most salutary means to avert the one, and to secure the blessings of the other. These resolutions were received with univer

* Judge Story's Commentaries.

sal and prompt obedience ; and the union being thus auspiciously formed, it was continued by a succession of delegates in Congress ; and through every period of the war, and through every revolution of our government, it has been revered and cultivated as the tutelary guardian of our liberties.*

In May, 1775, the second continental congress of delegates from all the colonies (except Georgia), assembled at Philadelphia, and were invested by the colonies with very ample discretionary powers. These delegates were chosen, as the preceding had been, partly by the popular branch of the legislatures when in session, but principally by conventions of the people in the various states. In July, Georgia acceded to, and completed the confederacy. Hostilities had already commenced in the province of Massachusetts Bay, and the unconditional sovereignty of the British parliament over the colonies was to be asserted by an appeal to arms. Congress, charged with the general interests and superintending direction of the Union, and supported by the zeal and confidence of their constituents, prepared for defence. They published a declaration of the causes and necessity of taking up arms, and forthwith proceeded to levy and organize an army, to prescribe rules for the regulation of their land and naval forces, to emit a paper currency, contract debts, and exercise all the other prerogatives of an independent sovereignty, till at last, on the 4th day of July, 1776, they took a separate and equal station among the powers of the earth, by declaring the united colonies to be FREE AND INDEPENDENT STATES.

This memorable declaration, in imitation of that published by the United Netherlands on a similar occasion, recapitulated the oppressions of the British king, asserted it to be the natural right of every people to withdraw from tyranny, and made a solemn appeal to mankind, in vindication of the necessity of the measure. By this declaration, made in the name, and by the authority, of the PEOPLE, these United States were absolved from all allegiance to the British crown, and all political connexion between them and the state of Great Britain was totally dissolved. The principles of self-preservation, and of social happiness, gave a clear sanction to this act of separation. When the government established over any people becomes incompetent, or destructive to the ends for which it was instituted, it is the right and the duty of such people, founded on the law of nature, and the reason and practice of mankind, to throw off such government, and provide new guards for their future security.

The establishment of the republics of Holland and Switzerland bears a striking analogy to that of the United States, in the causes which produced them, and in the manner in which they were conducted. The United Netherlands were formerly a part of the immense dominions of the Spanish empire ; but the violent government of Philip the Second, and the unrelenting intolerance of the inquisition, drove those distant provinces to

* Kent.

union and resistance. In 1579, by the celebrated treaty of Utrecht, they entered into a league for their mutual defence, and that treaty was always considered as the bond of their union, and the foundation of their republic. But although they had for sometime made open resistance to the force of Spain, yet it was not till the 26th of July, 1581, after all hopes of reconciliation were lost, and the authority of Philip had been for some time virtually renounced, that the confederated provinces, equally distinguished for their forbearance and firmness, solemnly declared themselves independent states, and absolved from all allegiance to the Spanish crown. It is well known that Spain continued to make long and powerful efforts to reduce them to obedience, till at last, exhausted herself, she was reluctantly-compelled to a permanent recognition of their independence at the treaty of Westphalia. Similar to that of the Netherlands was the case of Switzerland, which formerly fell under the dominion of the German empire, acknowledging the counts of Hapsburg for her protectors, and faithfully preserving her allegiance after that family, under the well-known name of the house of Austria, succeeded to the imperial crown. The tyranny of the imperial bailiffs became insupportable, and three of the Swiss cantons threw off the Austrian yoke in the year 1308, and confederated together for their common defence. The house of Austria carried on an implacable war against them for more than a century. That celebrated confederacy, which originally consisted of only the three cantons of Uri, Schweiz, and Underwalden, kept continually increasing in strength, by the accession of other cantons from conquest or alliance; but the union of the thirteen cantons was not completed for two centuries, nor was their independence fully and finally acknowledged by the house of Austria, till the treaty of Westphalia, in 1648.*

To return to the history of our own government: the general sentiment of the importance of the union appears evident in all the early proceedings of Congress. In July, 1775, a year before the declaration of independence, Dr. Franklin submitted to the consideration of Congress, a sketch of articles of confederation between the colonies, to continue until their reconciliation with Great Britain, and in failure of that event, to be perpetual. This plan appears to have never been discussed in Congress.† But during the time that the declaration of independence was under consideration, Congress took measures for the formation of a constitutional plan of union. On the 11th of June, 1776, it was resolved that a committee should be appointed to prepare and digest the form of a confederation to be entered into between the colonies; and the day following a committee, consisting of one member from each colony, was appointed, to perform that duty. Upon the report of this committee, which was laid aside on the 20th of August, 1776, and not resumed till the 7th of April, 1777, the subject was from time to time debated, until the 15th of November, 1777, when a copy

* Kent's Historical Lecture.

† J. Q. Adams's Jubilee Discourse, 1839.

of the articles of confederation being made out, the same was finally agreed to. Congress, at the same time, directed that the articles should be proposed to the legislatures of all the United States, to be considered, and, if approved of by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States; which being done, the same should become conclusive. On the 29th of November ensuing, a committee of three was appointed, to procure a translation of the articles to be made into the French language, and to report an address to the inhabitants of Canada, &c. On the 26th of June, 1778, the form of a ratification of the articles of confederation was adopted, and it was ordered that the whole should be engrossed on parchment, with a view that the same should be signed by the delegates, in virtue of the powers furnished by the several states.*

On the 9th of July, 1778, the articles were signed by the delegates of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, and South Carolina. The delegates from New Jersey, Delaware, and Maryland, informed Congress that they had not yet received powers to ratify and sign. North Carolina and Georgia were not represented—and the ratification of New York was conditional, that all the other states should ratify.

The delegates from North Carolina signed the articles on the 21st of July, 1778; those of Georgia on the 24th of the same month; those of New Jersey on the 26th of November, 1778; those of Delaware on the 22d of February, and 5th of May, 1779; but Maryland held out to the last, and positively refused the ratification, until the question of the conflicting claims of the Union and of the separate states, to the property of the crown-lands, should be adjusted. This was finally accomplished by cessions from the claiming states to the United States, of the unsettled lands, for the benefit of the whole Union.

The cessions of the claiming states of the crown-lands to the Union, originated the territorial system, and, eventually, in the ordinance for the government of the Northwestern territory (passed by Congress in July, 1786). It also removed the insuperable objection of the state of Maryland to the articles of confederation; and her delegates signed them on the 1st of March, 1781, four years and four months after they had been submitted by Congress to the sovereign states, with a solemn averment that they could no longer be deferred; that they seemed essential to the very existence of the Union as a free people; and that, without them, they might be constrained to bid adieu to independence, to liberty, and safety.†

The confederation being thus finally complete, by the ratification of the delegates from Maryland, on the 1st of March, 1781, the event was joyfully announced by Congress, and, on the 2d of March, that body assembled under the new powers.‡

* Force's National Calendar, 1830.

† Adams's Jubilee Discourse.

‡ For the Articles of Confederation, see Vol. I., pages 1-7, of this work.

It will be observed, that the term of the continental Congress is properly divided into two periods, namely : the first extending from the first meeting, on the 4th of September, 1774, until the ratification of the confederation, on the 1st of March, 1781; the second, from the 1st of March, 1781, until the organization of the government under the constitution, on the 4th of March, 1789. The first period may be called that of "the revolutionary national government;" the second was that of "the confederation."

The question naturally presents itself, if the declaration is to be considered as a national act, in what manner did the colonies become a nation, and in what manner did Congress become possessed of this national power? The true answer must be, that as soon as Congress assumed powers and passed measures, which were in their nature national, to that extent the people, from whose acquiescence and consent they took effect, must be considered as agreeing to form a nation. The Congress of 1774, looking at the general terms of the commissions under which the delegates were appointed, seem to have possessed the power of concerting such measures as they deemed best to redress the grievances, and preserve the rights and liberties, of all the colonies. The Congress of 1775 and 1776 were clothed with more ample powers, and the language of their commissions generally was sufficiently broad to embrace the right to pass measures of a national character and obligation. The Congress of 1775 accordingly assumed at once the exercise of some of the highest functions of sovereignty. They took measures for national defence and resistance; they followed up the prohibitions upon trade and intercourse with Great Britain; they raised a national army and navy, and authorized limited national hostilities against Great Britain; they raised money, emitted bills of credit, and contracted debts upon national account; they established a national postoffice; and, finally, they authorized captures and condemnation of prizes in prize courts, with a reserve of appellate jurisdiction to themselves.

The same body, in 1776, took bolder steps, and exerted powers which could in no other manner be justified or accounted for, than upon the supposition that a national union for national purposes already existed, and that the Congress was invested with sovereign power over all the colonies, for the purpose of preserving the common rights and liberties of all. The validity of these acts was never doubted or denied by the people. On the contrary, they became the foundation upon which the superstructure of the liberties and independence of the United States has been erected.

From the moment of the declaration of independence, if not for most purposes at an antecedent period, the united colonies must be considered as being a nation *de facto*, having a general government over it, created and acting by the general consent of the people of the colonies. The powers of that government were not, and indeed could not be, well defined. But still its exclusive sovereignty, in many cases, was firmly es

established; and its controlling power over the states was in most, if not in all national measures, universally admitted. *The articles of confederation were not ratified so as to become obligatory upon all the states, until March, 1781. In the intermediate time, Congress continued to exercise the powers of a general government, whose acts were binding on all the states. In respect to foreign governments, we were politically known as the United States only; and it was in our national capacity, as such, that we sent and received ambassadors, entered into treaties and alliances, and were admitted into the general community of nations, who might exercise the right of belligerents, and claim an equality of sovereign powers and prerogatives.*

The continental congress, upon trial, soon found that the powers derived from the articles of confederation were inadequate to the legitimate objects of an effective national government. Defects were more particularly manifest, whenever it became necessary to legislate upon the subject of commerce and that of taxes; and it was at length indispensably necessary to amend the articles in such a way as to give authority and force to the national will in matters of trade and revenue. This was from time to time attempted, until the present constitution of the United States was adopted. The most important movements in Congress showing the progress of constitutional legislation, were on the 3d of February, 1781, April 18, 1783, April 26, 1783, April 30, 1784, March 3, 1786, September 29, 1786, and October 23, 1786.†

Peace came (in 1783). The heroic leader of the revolutionary armies surrendered his commission. The armies were disbanded, but they were not paid. Mutiny was suppressed; but not until Congress had been surrounded by armed men, demanding justice, and appealed in vain for protection to the sovereign state within whose jurisdiction they were sitting. A single frigate, the remnant of a gallant navy, which had richly shared the glories, and deeply suffered the calamities of the war, was dismantled and sold. The expenses of the nation were reduced to the minimum of a peace establishment, and yet the nation was not relieved. The nation wanted a government founded on the principles of the Declaration of Independence—a government constituted by the people.

In the congress of the confederation, the master-minds of James Madison and Alexander Hamilton were constantly engaged through the closing years of the Revolutionary war, and those of peace which immediately succeeded. That of John Jay was associated with them shortly after the peace, in the capacity of secretary to the congress for foreign affairs. The incompetency of the articles of confederation for the management of the affairs of the Union at home and abroad, was demonstrated to them by the painful and mortifying experience of every day. Washington, though in retirement, was brooding over the cruel injustice suffered by his asso-

* Story's Commentaries.

† Force's Calendar, 1830.

ciates in arms, the warriors of the revolution; over the prostration of the public credit and the faith of the nation, in the neglect to provide for the payment even of the interest upon the public debt; over the disappointed hopes of the friends of freedom; in the language of the address from Congress to the states, of the 18th of April, 1783—"the pride and boast of America, that the rights for which she contended were the rights of human nature."

At his residence of Mount Vernon, in March, 1785, the first idea was started of a revisal of the articles of confederation, by an organization of means differing from that of a compact between the state legislatures and their own delegates in Congress. A convention of delegates from the state legislatures, independent of the Congress itself, was the expedient which presented itself for effecting the purpose, and an augmentation of the powers of Congress for the regulation of commerce, as the object for which this assembly was to be convened. In January, 1786, the proposal was made and adopted in the legislature of Virginia, and communicated to the other state legislatures.

The convention was held at Annapolis, in September of that year. It was attended by delegates from only five of the central states, who, on comparing their restricted powers with the glaring and universally-acknowledged defects of the confederation, reported only a recommendation for the assemblage of another convention of delegates to meet at Philadelphia in May, 1787, from all the states, and with enlarged powers.

The constitution of the United States was the work of this convention. But in its construction, the convention immediately perceived that they must retrace their steps, and fall back from a league of friendship between sovereign states, to the constituent sovereignty of *the people*—from *power* to *right*—from the irresponsible despotism of state sovereignty, to the self-evident truths of the Declaration of Independence. From the day of that declaration, the constituent power of the people had never been called into action. A confederacy had been substituted in the place of a government, and state sovereignty had usurped the constituent sovereignty of the people.

The convention assembled at Philadelphia had themselves no direct authority from the people. Their authority was all derived from the state legislatures. But they had the articles of confederation before them, and they saw and felt the wretched condition into which they had brought the whole people, and that the Union itself was in the agonies of death. They soon perceived that the indispensably-needed powers were such as no state government; no combination of them was, by the principles of the Declaration of Independence, competent to bestow. They could emanate only from the people. A highly respectable portion of the assembly, still clinging to the confederacy of states, proposed, as a substitute for the constitution, a mere revival of the articles of confederation, with a grant of

additional powers to the Congress. Their plan was respectfully and thoroughly discussed; but the want of a government, and of the sanction of the people to the delegation of powers, happily prevailed. A constitution for the people, and the distribution of legislative, executive, and judicial powers, was prepared. It announced itself as the work of the people themselves; and as this was unquestionably a power assumed by the convention, not delegated to them by the people, they religiously confined it to a simple power to propose, and carefully provided that it should be no more than a proposal, until sanctioned by the confederation Congress, by the state legislatures, and by the people of the several states, in conventions specially assembled, by authority of their legislatures, for the single purpose of examining and passing upon it.

And thus was consummated the work, commenced by the Declaration of Independence; a work in which the people of the North American Union, acting under the deepest sense of responsibility to the Supreme Ruler of the universe, had achieved the most transcendent act of power that social man, in his mortal condition, can perform; even that of dissolving the ties of allegiance by which he is bound to his country—of renouncing that country itself—of demolishing its government, of instituting another government, and of making for himself another country in its stead.

The revolution itself was a work of thirteen years—and had never been completed until that day (when Washington was inaugurated, on the 30th of April, 1789). The Declaration of Independence and the constitution of the United States, are parts of one consistent whole, founded upon one and the same theory of government, then new, not as a theory, for it had been working itself into the mind of man for many ages, and been especially expounded in the writings of Locke, but had never before been adopted by a great nation in practice.*

Proceedings of commissioners from certain states, assembled at Annapolis, in September, 1786, to consider on the best means of remedying the defects of the federal government.

Annapolis, in the state of Maryland, September 11, 1786.—At a meeting of commissioners from the states of New York, New Jersey, Pennsylvania, Delaware, and Virginia: present, *New York*: Alexander Hamilton, Egbert Benson; *New Jersey*: Abraham Clark, William C. Houston, James Schureman; *Pennsylvania*: Tench Coxe; *Delaware*: George Read, John Dickinson, Richard Basset; *Virginia*: Edmund Randolph, James Madison, jr., Saint George Tucker.

Mr. Dickinson was unanimously elected chairman. The commissioners produced their credentials from their respective states, which were read. After a full communication of sentiments, and deliberate consideration of what would be proper to be done by the commissioners now assembled

* Adams's Jubilee Discourse.

it was unanimously agreed, that a committee be appointed to prepare a draught of a report to be made to the states having commissioners attending at this meeting. Adjourned till Wednesday morning.

Wednesday, Sept. 13.—Met agreeable to adjournment. The committee appointed for that purpose reported the draught of the report, which being read, the meeting proceeded to the consideration thereof, and after some time spent therein, adjourned till to-morrow morning.

Thursday, Sept. 14.—Met agreeable to adjournment. The meeting resumed the consideration of the draught of the report, and after some time spent therein, and amendments made, the same was unanimously agreed to, and is as follows, to wit :—

To the honorable the legislatures of Virginia, Delaware, Pennsylvania, New Jersey, and New York, the commissioners from the said states, respectively, assembled at Annapolis, humbly beg leave to report :—

That, pursuant to their several appointments, they met at Annapolis, in the state of Maryland, on the 11th day of September, instant, and having proceeded to a communication of their powers, they found that the states of New York, Pennsylvania, and Virginia, had, in substance, and nearly in the same terms, authorized their respective commissioners “to meet such commissioners as were or might be appointed by the other states in the union, at such time and place as should be agreed upon by the said commissioners, to take into consideration the trade and commerce of the United States, to consider how far a uniform system in their commercial intercourse and regulations, might be necessary to their common interest and permanent harmony, and to report to the several states such an act relative to this great object, as, when unanimously ratified by them, would enable the United States, in Congress assembled, effectually to provide for the same.”

That the state of Delaware had given similar powers to their commissioners, with this difference only, that the act to be framed in virtue of these powers, is required to be reported “to the United States, in Congress assembled, to be agreed to by them, and confirmed by the legislatures of every state.”

That the state of New Jersey had enlarged the object of their appointment, empowering their commissioners “to consider how far a uniform system in their commercial regulations, and *other important matters*, might be necessary to the common interest and permanent harmony of the several states ;” and to report such an act on the subject, as, when ratified by them, “would enable the United States, in Congress assembled, effectually to provide for the exigencies of the Union.”

That appointments of commissioners have also been made by the states of New Hampshire, Massachusetts, Rhode Island, and North Carolina, none of whom, however, have attended ; but that no information has been received by your commissioners of any appointment having been made by the states of Connecticut, Maryland, South Carolina, or Georgia.

That the express terms of the powers to your commissioners supposing a deputation from all the states, and having for object the trade and commerce of the United States, your commissioners did not conceive it advisable to proceed on the business of their mission under the circumstances of so partial and defective a representation.

Deeply impressed, however, with the magnitude and importance of the object confided to them on this occasion, your commissioners can not for-

bear to indulge an expression of their earnest and unanimous wish, that speedy measures may be taken to effect a general meeting of the states, in a future convention, for the same and such other purposes as the situation of public affairs may be found to require.

If, in expressing this wish, or in intimating any other sentiment, your commissioners should seem to exceed the strict bounds of their appointment, they entertain a full confidence, that a conduct dictated by an anxiety for the welfare of the United States, will not fail to receive an indulgent construction.

In this persuasion, your commissioners submit an opinion, that the idea of extending the powers of their deputies to other objects than those of commerce, which has been adopted by the state of New Jersey, was an improvement on the original plan, and will deserve to be incorporated into that of a future convention. They are the more naturally led to this conclusion, as, in the course of their reflections on the subject, they have been induced to think that the power of regulating trade is of such comprehensive extent, and will enter so far into the general system of the federal government, that to give it efficacy, and to obviate questions and doubts concerning its precise nature and limits, may require a corresponding adjustment of other parts of the federal system.

That there are important defects in the system of the federal government, is acknowledged by the acts of all those states which have concurred in the present meeting; that the defects, upon a closer examination, may be found greater and more numerous than even these acts imply, is at least so far probable, from the embarrassments which characterize the present state of our national affairs, foreign and domestic, as may reasonably be supposed to merit a deliberate and candid discussion, in some mode which will unite the sentiments and councils of all the states. In the choice of the mode, your commissioners are of opinion, that a convention of deputies from the different states, for the special and sole purpose of entering into this investigation, and digesting a plan for supplying such defects as may be discovered to exist, will be entitled to a preference, from considerations which will occur without being particularized.

Your commissioners decline an enumeration of those national circumstances on which their opinion respecting the propriety of a future convention, with more enlarged powers, is founded; as it would be a useless intrusion of facts and observations, most of which have been frequently the subject of public discussion, and none of which can have escaped the penetration of those to whom they would, in this instance, be addressed. They are, however, of a nature so serious, as, in the view of your commissioners, to render the situation of the United States delicate and critical, calling for an exertion of the united virtue and wisdom of all the members of the confederacy.

Under this impression, your commissioners, with the most respectful deference, beg leave to suggest their unanimous conviction, that it may essentially tend to advance the interests of the Union, if the states, by whom they have been respectively delegated, would themselves concur, and use their endeavors to procure the concurrence of the other states, in the appointment of commissioners, to meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union; and to report such an act for that purpose, to the

United States, in Congress assembled, as, when agreed to by them, and afterward confirmed by the legislatures of every state, will effectually provide for the same.

Though your commissioners could not, with propriety, address these observations and sentiments to any but the states they have the honor to represent, they have nevertheless concluded, from motives of respect, to transmit copies of this report to the United States, in Congress assembled, and to the executives of the other states.

By order of the commissioners.

Dated at Annapolis, September 14th, 1786.

In Congress, Wednesday, February 21, 1787.—The report of a grand committee, consisting of Messrs. Dane, Varnum, S. M. Mitchell, Smith, Cadwallader, Irvine, N. Mitchell, Forrest, Grayson, Blount, Bull, and Few, to whom was referred a letter of the 14th September, 1786, from J. Dickinson, written at the request of commissioners from the states of Virginia, Delaware, Pennsylvania, New Jersey, and New York, assembled at the city of Annapolis, together with a copy of the report of the said commissioners to the legislatures of the states by whom they were appointed, being an order of the day, was called up, and which is contained in the following resolution, viz.:—

Congress having had under consideration the letter of John Dickinson, Esq., chairman of the commissioners who assembled at Annapolis, during the last year; also the proceedings of the said commissioners, and entirely coinciding with them, as to the inefficiency of the federal government, and the necessity of devising such further provisions as shall render the same adequate to the exigencies of the Union, do strongly recommend to the different legislatures to send forward delegates, to meet the proposed convention, on the second Monday in May next, at the city of Philadelphia.

The delegates for the state of New York thereupon laid before Congress instructions which they had received from their constituents, and in pursuance of the said instructions, moved to postpone the further consideration of the report, in order to take up the following proposition, viz.:—

“That it be recommended to the states composing the Union, that a convention of representatives from the said states respectively, be held at —, on —, for the purpose of revising the articles of confederation and perpetual union between the United States of America, and reporting to the United States, in Congress assembled, and to the states respectively, such alterations and amendments of the said articles of confederation, as the representatives, met in such convention, shall judge proper and necessary to render them adequate to the preservation and support of the Union.”

On the question to postpone, for the purpose abovementioned, the yeas and nays being required by the delegates for New York, the question was lost by the following vote, three states only voting in the affirmative. The names of the members who voted in the affirmative are in *italic*.

Massachusetts: Messrs. King, Dane; *Connecticut*: Messrs. Johnson, S. Mitchell; *New York*, Messrs. Smith, Benson; *New Jersey*: Messrs. Cadwallader, Clark, Schureman; *Pennsylvania*: Messrs. Irvine, Meredith, Bingham; *Delaware*: Mr. N. Mitchell; *Maryland*: Mr. Forrest; *Virginia*: Messrs. Grayson, Madison; *North Carolina*: Messrs. Blount, Hawkins; *South Carolina*: Messrs. Bull, Kean, Huger, Parker; *Georgia*: Messrs. Few, Pierce.

A motion was then made by the delegates for Massachusetts, to postpone the further consideration of the report, in order to take into consideration a motion which they read in their place; this being agreed to, the motion of the delegates for Massachusetts was taken up, and being amended was agreed to, as follows:—

“Whereas, there is provision in the articles of confederation and perpetual union, for making alterations therein, by the assent of a Congress of the United States, and of the legislatures of the several states; and whereas, experience hath evinced that there are defects in the present confederation, as a mean to remedy which, several of the states, and particularly the state of New York, by express instructions to their delegates in Congress, have suggested a convention for the purposes expressed in the following resolution; and such convention appearing to be the most probable means of establishing, in these states, a firm national government:

“*Resolved*, That, in the opinion of Congress, it is expedient that, on the second Monday in May next, a convention of delegates who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress, and the several legislatures, such alteration and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of the government, and the preservation of the Union.”

In compliance with the recommendation of Congress, delegates were chosen in the several states, for the purpose of revising the articles of confederation, who assembled in Philadelphia, on the second Monday in May, 1787. General Washington was chosen president of the convention. On the 17th of September, 1787, the convention having agreed upon the several articles of the federal constitution, it was adopted and signed by all the members present.

On Friday, the 28th of September, 1787, the Congress having received the report of the convention, with the constitution, recommended for ratification by the several states, and by Congress, adopted the following resolution:—

“*Resolved, unanimously*, That the said report, with the resolutions and letters accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention, made and provided in that case.”

The constitution having been ratified by the number of states required, the following proceedings took place in the old Congress, preparatory to organizing the new government.

Saturday, September, 13, 1788.—On the question to agree to the following proposition, it was resolved in the affirmative, by the unanimous votes of nine states, viz., of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Virginia, South Carolina, and Georgia.

“Whereas, the convention assembled in Philadelphia, pursuant to the resolution of Congress, of the 21st of February, 1787, did, on the 17th of September, in the same year, report to the United States, in Congress assembled, a constitution for the people of the United States; whereupon, Congress, on the 28th of the same September, did resolve unanimously, ‘that the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to

a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention, made and provided in that case ;' and whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary, therefore—

" *Resolved*, That the first Wednesday in January next be the day for appointing electors in the several states which before the said day shall have ratified the said constitution ; that the first Wednesday in February next be the day for the electors to assemble in their respective states, and vote for a president ; and that the first Wednesday in March next be the time, and the present seat of Congress [New York] the place, for commencing proceedings under the said constitution."

Delegates to the Convention which met at Philadelphia, in May, 1787, to frame a new Constitution.

New Hampshire, on the 27th of June, 1787, appointed John Langdon, John Pickering, Nicholas Gilman, and Benjamin West.

Massachusetts, on the 9th of April, 1787, appointed Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King, and Caleb Strong.

Connecticut, on the second Thursday of May, 1786, appointed William Samuel Johnson, Roger Sherman, and Oliver Ellsworth.

New York, on the 6th of March, 1787, appointed Robert Yates, John Lansing, jr., and Alexander Hamilton.

New Jersey, on the 23d of November, 1780, appointed David Brearley, William Churchill Houston, William Paterson, and John Neilson ; and on the 8th of May, 1787, added William Livingston and Abraham Clark ; and on the 5th of June, 1787, added Jonathan Dayton.

Pennsylvania, on the 30th of December, 1786, appointed Thomas Mifflin, Robert Morris, George Clymer, Jared Ingersoll, Thomas Fitzsimons, James Wilson, and Gouverneur Morris ; and on the 28th of March, 1787, added Benjamin Franklin.

Delaware, on the 3d of February, 1787, appointed George Read, Gunning Bedford, jr., John Dickinson, Richard Bassett, and Jacob Broom.

Maryland, on the 26th of May, 1787, appointed James M'Henry, Daniel of St. Thomas Jenifer, Daniel Carroll, John Francis Mercer, and Luther Martin.

Virginia, on the 16th of October, 1786, appointed George Washington, Patrick Henry, Edmund Randolph, John Blair, James Madison, jr., George Mason, and George Wythe. Patrick Henry having declined his appointment as deputy, James M'Clurg was nominated to supply his place.

North Carolina, in January, 1787, elected Richard Caswell, Alexander Martin, William Richardson Davie, Richard Dobbs Spaight, and Willie Jones. Richard Caswell having resigned, William Blount was appointed a deputy in his place. Willie Jones having also declined his appointment, was supplied by Hugh Williamson.

South Carolina, on the 8th of March, 1787, appointed John Rutledge, Charles Pinckney, Charles Cotesworth Pinckney, and Pierce Butler.

Georgia, on the 10th of February, 1787, appointed William Few, Abraham Baldwin, William Pierce, George Walton, William Houston, and Nathaniel Pendleton.

Dates of the Ratification of the Constitution by the Thirteen Old States.

Delaware.....December...7, 1787
 Pennsylvania.....December...12, 1787
 New Jersey.....December...18, 1787
 Georgia.....January.....2, 1788
 Connecticut.....January.....9, 1788
 Massachusetts.....February...6, 1788
 Maryland.....April.....28, 1788

South Carolina....May.....23, 1788
 New Hampshire....June.....21, 1788
 Virginia.....June.....26, 1788
 New York.....July.....26, 1788
 North Carolina....November 21, 1789
 Rhode Island.....May.....29, 1790

States since admitted into the Union by acts of Congress.

Vermont	March.....4, 1791	Alabama.....	December 14, 1819
Kentucky.....	June.....1, 1792	Maine.....	March.....15, 1820
Tennessee.....	June.....1, 1796	Missouri.....	August...10, 1821
Ohio.....	February...19, 1803	Arkansas.....	June.....14, 1836
Louisiana.....	April.....8, 1812	Michigan.....	January...26, 1837
Indiana.....	December...11, 1816	Florida.....	March....3, 1845
Mississippi.....	December...10, 1817	Texas.....	December.24, 1845
Illinois.....	December....3, 1818	Iowa, 1846	Wisconsin, 1848
			California, Sept. 9, 1850

CONGRESS AT ALBANY, 1754.

THE day appointed for the meeting of the commissioners, at Albany, in the state of New York, was the 14th of June, 1754, but they did not assemble until the 19th of June, when it was found that seven colonies were represented, viz :—

NEW YORK.

James Delancy,
Joseph Murray,
William Johnson,
John Chambers,
William Smith.

MASSACHUSETTS.

Samuel Welles,
John Chandler,
Thomas Hutchinson.
Oliver Partridge,
John Worthington.

NEW HAMPSHIRE.

Theodore Atkinson,
Richard Wibird,
Meshech Weare,
Henry Sherburne.

CONNECTICUT.

William Pitkin,
Roger Wolcott,
Elisha Williams.

RHODE ISLAND.

Stephen Hopkins,
Martin Howard.

PENNSYLVANIA.

John Penn,
Benjamin Franklin,
Richard Peters,
Isaac Norris.

MARYLAND.

Benjamin Tasker,
Abraham Barnes.

The whole number of commissioners appointed was twenty-five, who all attended, as above named. Virginia and New Jersey, though expressly invited, did not attend.

Having completed a treaty with the Indians, the commissioners took up the subject of a plan of union. A committee, consisting of one member from each colony, was appointed to draw a plan, viz. : Messrs. Hutchinson of Massachusetts, Atkinson of New Hampshire, Pitkin of Connecticut, Hopkins of Rhode Island, Smith of New York, Franklin of Pennsylvania, and Tasker of Maryland.

Several plans were proposed, but an outline presented by Dr. Franklin, before he arrived in Albany, was preferred by the committee, and reported to the Congress on the 28th of June. The debates on the various topics embraced in the plan of union continued for twelve days, when the one reported, substantially as drawn by Doctor Franklin, was adopted; and the Congress, adjourned on the 11th of July. This scheme of general government received the assent of all the commissioners, except those from Connecticut. Indeed, Governor Hutchinson, in his history of Massachusetts, says the vote was unanimous in the Congress; but this is contradicted by the Connecticut historians. It was, however, to be of no

force unless confirmed by the several colonial assemblies—and not one of them, when the report was made by their delegates, inclined to part with so great a share of power as was to be given to this general government. The plan met with no better fate in England, where it was laid before the king and the board of trade. Doctor Franklin says: “The colonial assemblies all thought there was too much *prerogative* in it, and in England it was thought to have too much of the *democratic* in it.” Considering the rejection by the two parties, for opposite reasons, it was Franklin’s opinion, thirty years afterward, that his plan was near the true medium. It is remarkable how nearly the basis approaches the constitution of the United States.*

CONGRESS AT NEW YORK, 1765.

THE proposal for holding a congress of delegates from the respective colonies, in consequence of the passage of the stamp act and other oppressive measures of the British parliament, was made by the corresponding committee of the New York assembly (appointed in October, 1764), and was repeatedly agitated in the different colonial legislatures. In June, 1765, the popular branch of the legislature of Massachusetts issued a circular letter proposing “a meeting of committees from the house of representatives or burgesses of the several British colonies on this continent, to consult together on the circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the acts of parliament, for levying duties and taxes on the colonies; and to consider of a general and united, dutiful, loyal, and humble representation of their condition to his majesty and to the parliament, and to implore relief; also, that such meeting be at the city of New York, on the first Tuesday of October next.” In consequence of the circular letter referred to, the following gentlemen met at New York, on the 7th of October, 1765, viz. —

MASSACHUSETTS.

James Otis,
Oliver Partridge,
Timothy Ruggles.

RHODE ISLAND.

Metcalfe Bowler,
Henry Ward.

CONNECTICUT.

Eliphalet Dyer,
David Rowland,
William S. Johnson.

NEW YORK.

Robert R. Livingston,
John Cruger,
Phillip Livingston,
William Bayard,
Leonard Lispenard.

NEW JERSEY.

Robert Ogden,
Hendrick Fisher,
Joseph Borden.

PENNSYLVANIA.

John Dickinson,
John Morton,
George Bryan,

DELAWARE.

Thomas M’Kean,
Caesar Rodney.

MARYLAND.

William Murdock,
Edward Tilghman,
Thomas Ringgold.

SOUTH CAROLINA.

Thomas Lynch,
Christopher Gadsden.
John Rutledge.

* See Pitkin’s Political History, and Franklin’s Works.

New Hampshire, Virginia, North Carolina, and Georgia, were not represented; but their assemblies wrote that they would agree to whatever was done by the Congress.

Timothy Ruggles, of Massachusetts, was, by ballot, chosen chairman of the Congress, and John Cotton, clerk.*

This Congress continued in session, from day to day, until the 24th of October, 1765, and their proceedings were approved by all of the delegates, except Mr. Ruggles, of Massachusetts, and Mr. Ogden, of New Jersey, both of whom left New York without signing the address or petitions. The proceedings of the Congress were afterward sanctioned by the various colonial assemblies.

CONTINENTAL CONGRESS.

Presidents of the Continental Congress, from 1774 to 1788.

	FROM	ELECTED.
Peyton Randolph.....	Virginia.....	September..5, 1774
Henry Middleton.....	South Carolina.....	October...22, 1774
Peyton Randolph.....	Virginia.....	May.....10, 1775
John Hancock.....	Massachusetts.....	May.....24, 1775
Henry Laurens.....	South Carolina.....	November..1, 1777
John Jay.....	New York.....	December 10, 1778
Samuel Huntington.....	Connecticut.....	September 28, 1779
Thomas M ^c Kean.....	Delaware.....	July.....10, 1781
John Hanson.....	Maryland.....	November..5, 1781
Elias Boudinot.....	New Jersey.....	November..4, 1782
Thomas Mifflin.....	Pennsylvania.....	November..3, 1783
Richard Henry Lee.....	Virginia.....	November 30, 1784
Nathaniel Gorham.....	Massachusetts.....	June.....6, 1786
Arthur St. Clair.....	Pennsylvania.....	February...2, 1787
Cyrus Griffin.....	Virginia.....	January..22, 1788

Sessions of the Continental Congress.

The sessions of the continental Congress were commenced as follows: September 5, 1774, also May 10, 1775, at *Philadelphia*; December 20, 1776, at *Baltimore*; March 4, 1777, at *Philadelphia*; September 27, 1777, at *Lancaster*, Penn.; September 30, 1777, at *York*, Penn.; July 2, 1778, at *Philadelphia*; June 30, 1783, at *Princeton*, New Jersey; November 26, 1783, at *Annapolis*, Maryland; November 1, 1784, at *Trenton*, New Jersey; January 11, 1785, at *New York*, which, from that time, continued to be the place of meeting till the adoption of the constitution of the United States. From 1781 to 1788, Congress met annually on the first Monday in November, pursuant to the articles of confederation.

* Journal of the First American or Stamp-Act Congress, of 1765, published in Niles's Register, 1812, and by E. Winchester, New York, 1845.

MEMBERS OF THE CONTINENTAL CONGRESS, FROM 1774 TO 1788.

(Arranged from the Journals of Congress, for the American Almanac of 1834.)

NEW HAMPSHIRE.

	From	To
Bartlett, Josiah.....	1775,	'79
Blanchard, Jonathan.....	1783,	'84
Folsom, Nathaniel.....	{ 1774,	'75
	{ 1777,	'78
	{ 1779,	'80
Foster, Abiel.....	1783,	'85
Frost, George.....	1777,	'79
Gilman, John Taylor.....	1782,	'83
Gilman, Nicholas.....	1786,	'88
Langdon, John.....	{ 1775,	'77
	{ 1786,	'87
Langdon, Woodbury.....	1779,	'80
Livermore, Samuel.....	{ 1780,	'83
	{ 1785,	'86
Long, Pierce.....	1784,	'86
Peabody, Nathaniel.....	1779,	'80
Sullivan, John.....	{ 1774,	'75
	{ 1780,	'81
Thornton, Matthew.....	1776,	'78
Wentworth, John, jr.....	1778,	'79
Whipple, William.....	1776,	'79
White, Phillips.....	1782,	'83
Wingate, Paine.....	1787,	'88

MASSACHUSETTS.

Adams, John.....	1774,	'78
Adams, Samuel.....	1774,	'82
Cushing, Thomas.....	1774,	'76
Dana, Francis.....	{ 1776,	'78
	{ 1784,	'84
Dane, Nathan.....	1785,	'88
Gerry, Elbridge.....	{ 1776,	'81
	{ 1782,	'85
Gorham, Nathaniel.....	{ 1782,	'83
	{ 1785,	'87
Hancock, John.....	{ 1775,	'80
	{ 1785,	'86
Higginson, Stephen.....	{ 1782,	'83
	{ 1778,	'80
Holtten, Samuel.....	{ 1782,	'83
	{ 1784,	'85
	{ 1786,	'87
Jackson, Jonathan.....	1782,	'82
King, Rufus.....	1784,	'87
Lovell, James.....	1776,	'82
Lowell, John.....	1782,	'83
Osgood, Samuel.....	1780,	'84
Otis, Samuel A.....	1787,	'88
Paine, Robert Treat.....	1774,	'78
Partridge, George.....	{ 1779,	'82
	{ 1783,	'85

	From	To
Sedgwick, Theodore.....	1785,	'88
Sullivan, James.....	1782,	'82
Thacher, George.....	1787,	'88
Ward, Artemas.....	1780,	'81

RHODE ISLAND.

Arnold, Jonathan.....	1782,	'84
Arnold, Peleg.....	1787,	'88
Collins, John.....	1778,	'83
Cornell, Ezekiel.....	1780,	'83
Ellery, William.....	{ 1776,	'80
	{ 1783,	'85
Hazard, Jonathan.....	1787,	'88
Hopkins, Stephen.....	{ 1774,	'77
	{ 1778,	—
Howell, David.....	1782,	'85
Manning, ———.....	1785,	'86
Marchant, Henry.....	{ 1777,	'80
	{ 1783,	'84
Miller, Nathan.....	1785,	'86
Mowry, ———.....	1781,	'81
Varnum, James M.....	{ 1780,	'82
	{ 1786,	'87
Ward, Samuel.....	1774,	'76

CONNECTICUT.

Adams, Andrew.....	{ 1777,	'80
	{ 1781,	'82
Cook, Joseph P.....	1784,	'88
Deane, Silas.....	1774,	'76
Dyer, Eliphalet.....	{ 1774,	'79
	{ 1780,	'83
Edwards, Pierpont.....	1787,	'88
Ellsworth, Oliver.....	1777,	'84
Hillhouse, William.....	1783,	'86
Hosmer, Titus.....	{ 1775,	'76
	{ 1777,	'79
Huntington, Benjamin....	{ 1780,	'84
	{ 1787,	'88
Huntington, Samuel.....	1776,	'84
Johnson, William S.....	1784,	'87
Law, Richard.....	{ 1777,	'78
	{ 1781,	'84
	{ 1783,	'84
Mitchell, Stephen M.....	{ 1785,	'86
	{ 1787,	'88
Root, Jesse.....	1778,	'83
Sherman, Roger.....	1774,	'84
Spencer, Joseph.....	1778,	'79
Strong, Jedediah.....	1782,	'84
Sturges, Jonathan.....	1785,	'87
Treadwell, John.....	1785,	'86

	From	To		From	To
Trumbull, Joseph.....	1774,	'75	Dick, Samuel.....	1783,	'84
Wadsworth, James.....	{ 1783,	'84	Elmer, Jonathan.....	{ 1776,	'78
Wadsworth, Jeremiah.....	{ 1785,	'86		{ 1781,	'84
	{ 1787,	'88		{ 1787,	'88
Williams, William.....	{ 1776,	'78	Fell, John.....	{ 1778,	'80
	{ 1783,	'84	Frelinghuysen, Frederick..	{ 1778,	'79
Wolcott, Oliver.....	{ 1775,	'78		{ 1782,	'83
	{ 1780,	'84	Henderson, Thomas.....	1779,	'80

NEW YORK.

Alsop, John.....	1774,	'76	Houston, William C.....	{ 1779,	'82
Benson, Egbert.....	{ 1784,	'85		{ 1784,	'85
	{ 1786,	'88	Kinsey, James.....	1774,	'75
Boerum, Simon.....	1774,	'77	Livingston, William.....	1774,	'76
Clinton, George.....	1775,	'77	Neilson, John.....	1778,	'79
De Witt, Charles.....	1783,	'85	Scheurman, J.....	1786,	'87
Duane, James.....	1774,	'84	Scudder, Nathaniel.....	1777,	'79
Duer, William.....	1777,	'78	Sergeant, Jonathan D.....	1776,	'77
Floyd, William.....	{ 1774,	'77	Smith, Richard.....	1774,	'76
	{ 1778,	'8	Stewart, ———	1784,	'85
Gansevoort, Leonard.....	1787,	'88	Stockton, Richard.....	1776,	'77
Hamilton, Alexander.....	{ 1782,	'83	Symmes, John C.....	1785,	'86
	{ 1787,	'88	Witherspoon, John.....	1776,	'83
	{ 1774,	'75			
Haring, John.....	{ 1785,	'88			
	{ 1774,	'77			
Jay, John.....	{ 1778,	'79			
	{ 1784,	'88			
Lansing, John.....	1784,	'88			
Lawrence, John.....	1785,	'87			
Lewis, Francis.....	1777,	'79			
Livingston, Philip.....	1774,	'78			
Livingston, Robert R.....	{ 1775,	'77			
	{ 1779,	'81			
Livingston, Walter.....	1784,	'85			
Low, Isaac.....	1774,	'75			
L'Hommedieu, Ezra.....	{ 1779,	'83			
	{ 1787,	'88			
Morris, Gouverneur.....	1777,	'80			
Morris, Lewis.....	1775,	'77			
M'Dougall, Alexander....	{ 1781,	'82			
	{ 1784,	'85			
Paine, Ephraim.....	1784,	'85			
Platt, Zephaniah.....	1784,	'86			
Schuyler, Philip.....	{ 1775,	'75			
	{ 1778,	'81			
Scott, John Morin.....	1780,	'83			
Smith, Melancthon.....	1785,	'88			
Wisner, Henry.....	1774,	'76			
Yates, Abraham, jr.....	1787,	'88			
Yates, Peter W.....	1785,	'87			

NEW JERSEY.

Beatty, John.....	1783,	'85	Mifflin, Thomas.....	{ 1774,	'76
Boudinot, Elias... ..	{ 1777,	'78		{ 1782,	'84
	{ 1781,	'84	Morris, Charles.....	1783,	'84
Burnett, W.....	1780,	'81	Morris, Robert.....	1776,	'78
Cadwallader, Lambert.....	1784,	'87	Montgomery, John.....	1780,	'84
	{ 1776,	'82	Morton, John.....	1774,	'77
Clark, Abraham.....	{ 1787,	'88	Muhlenberg, Frederick A....	1778,	'80
	{ 1781,	'88	Peters, Richard.....	1782,	'83
Condict, Silas....	1781,	'84	Pettit, Charles.....	1785,	'87
Cooper, John....	1776,	'76	Read, ———	1787,	'88
Crane, Stephen.....	1774,	'76	Reed, Joseph.....	1777,	'78
Dayton, Elias.....	1787,	'88	Rhodes, Samuel.....	1774,	'75
De Hart, John.....	1774,	'76	Roberdeau, Daniel.....	1777,	'79

	From	To		From	To
Ross, George.....	1774,	'77	Jenifer, D., of St. Thomas....	1778,	'82
Rush, Benjamin.....	1776,	'77	Johnson, Thomas.....	1775,	'77
Searle, James.....	1778,	'80	Lee, Thomas Sim.....	1783,	'84
Shippen, William.....	1778,	'80	Lloyd, Edward.....	1783,	'84
Smith, James.....	1776,	'78	Martin, Luther.....	1784,	'85
Smith, Jonathan B.....	1777,	'78	McHenry, James.....	1783,	'86
Smith, Thomas.....	1780,	'82	Paca, William.....	1774,	'79
St. Clair, Arthur.....	1785,	'87	Plater, George.....	1778,	'81
Taylor, George.....	1776,	'77	Potts, Richard.....	1781,	'82
Willing, Thomas.....	1775,	'76	Ramsay, Nathaniel.....	1785,	'87
	{ 1775,	'78	Ridgely, Richard.....	1785,	'86
Wilson, James... ..	{ 1782,	'83	Rogers, John.....	1775,	'76
	{ 1785,	'87	Ross, David.....	1786,	'87
Wyntkoop, Henry,....	1779,	'83	Rumsey, Benjamin.....	1776,	'78
			Scott, Gustavus.....	1784,	'85
			Seney, Joshua.....	1787,	'88
			Smith, William.....	1777,	'78
			Stone, Thomas.....	{ 1775,	'79
				{ 1784,	'85
			Tilghman, Matthew.....	1774,	'77
			Wright, Turbett.....	1781,	'82
			/		
			VIRGINIA.		
			Adams, Thomas.....	1778,	'80
			Banister, John.....	1778,	'79
			Bland, Richard.....	1774,	'76
			Bland, Theodorick.....	1780,	'83
			Braxton, Carter.....	1776,	'76
			Brown, John.....	1787,	'88
			Carrington, Edward.....	1785,	'86
			Fitzhugh, ————	1779,	'80
			Fleming, William.....	1779,	'81
			Grayson, William.....	1784,	'87
			Griffin, Cyrus.....	{ 1778,	'81
				{ 1787,	'88
			Hardy, Samuel.....	1783,	'85
			Harrison, Benjamin.....	1774,	'78
			Harvie, John.....	1778,	'79
			Henry, James.....	1780,	'81
			Henry, Patrick.....	1774,	'76
			Jefferson, Thomas.....	{ 1775,	'77
				{ 1783,	'85
			Jones, Joseph.....	{ 1777,	'78
				{ 1780,	'83
			Lee, Arthur.....	1781,	'84
			Lee, Francis Lightfoot.....	1775,	'80
			Lee, Henry.....	1785,	'88
			Lee, Richard Henry.....	{ 1774,	'80
				{ 1784,	'87
				{ 1780,	'83
			Madison, James, jr.....	{ 1786,	'88
			Mercer, James.....	1779,	'80
			Mercer, John F.....	1782,	'85
			Monroe, James.....	1783,	'86
			Nelson, Thomas.....	{ 1775,	'77
				{ 1779,	'80
			Page, Mann.....	1777,	'77
			Pendleton, Edmund.....	1774,	'75
			Randolph, Edmund.....	1779,	'82
			Randolph, Peyton.....	1774,	'75
			Smith, Merewether.....	1778,	'82
			Washington, George.....	1774,	'75
			Wythe, George.....	1775,	'77

NORTH CAROLINA.

	From	To		From	To
Ashe, John B.....	1787,	'88	Kinloch, Francis.....	1780,	'81
Bloodworth, Timothy.....	1786,	'87	Laurens, Henry.....	1777,	'80
Blount, William.....	{ 1782,	'83	Lynch, Thomas.....	1774,	'76
	1786,	'87	Lynch, Thomas, jr.....	1776,	'77
Burke, Thomas.....	1777,	'81	Matthews, John.....	1778,	'82
Burton, Robert.....	1787,	'88	Middleton, Arthur.....	{ 1776,	'78
Caswell, Richard.....	1774,	'76		{ 1781,	'83
Cumming, William.....	1784,	'84	Middleton, Henry.....	1774,	'76
Harnett, Cornelius.....	1777,	'80	Motte, Isaac.....	1780,	'82
	{ 1781,	'84	Parker, John.....	1786,	'88
Hawkins, Benjamin.....	1786,	'87		{ 1777,	'78
	{ 1774,	'77	Pinckney, Charles.....	{ 1784,	'87
Hewes, Joseph.....	1779,	'80		{ 1782,	'84
	{ 1778,	'81	Ramsay, David.....	{ 1785,	'86
Hill, Whitmill.....	1778,	'77	Read, Jacob.....	1783,	'85
Hooper, William.....	1774,	'77	Rutledge, Edward.....	1774,	'77
Johnston, Samuel.....	1780,	'82		{ 1774,	'77
Jones, Allen.....	1779,	'80	Rutledge, John.....	{ 1782,	'83
Jones, Willie.....	1780,	'81	Trapier, Paul.....	1777,	'78
Nash, Abner.....	{ 1782,	'84	Tucker, Thomas T.....	1787,	'88
	1785,	'86			
	{ 1775,	'76			
Penn, John.....	1777,	'80			
Sitgreaves, John.....	1784,	'85			
Sharpe, William.....	1779,	'82			
Spaight, Richard D.....	1783,	'85			
Swan, John.....	1787,	'88			
Williams, John.....	1778,	'79			
	{ 1782,	'85			
Williamson, Hugh.....	1787,	'88			
White, Alexander.....	1786,	'88			

SOUTH CAROLINA.

Bee, Thomas.....	1780,	'82	Baldwin, Abraham.....	1785,	'88
Beresford, Richard.....	1783,	'85	Brownson, Nathan.....	1776,	'78
Bull, John.....	1784,	'87	Bullock, Archibald.....	1775,	'76
Butler, Pierce.....	1787,	'88	Clay, Joseph.....	1778,	'80
Drayton, William Henry.....	1778,	'79	Few, William.....	{ 1780,	'82
Eveleigh, Nicholas.....	1781,	'82		{ 1785,	'88
Gadsden, Christopher.....	1774,	'76	Gibbons, William.....	1784,	'86
Gervais, John L.....	1782,	'83	Gwinnett, Button.....	1776,	'77
Heyward, Thomas, jr.....	1776,	'78	Habersham, John.....	1785,	'86
Huger, Daniel.....	1786,	'88	Hall, Lyman.....	1775,	'79
Hutson, Richard.....	1778,	'79	Houston, John.....	1775,	'77
Izard, Ralph.....	1782,	'83	Houston, William.....	1784,	'87
Kean, John.....	1785,	'87	Howley, Richard.....	1780,	'81
			Jones, Noble Wimberly....	{ 1775,	'76
				{ 1781,	'83
			Langworthy, Edward.....	1777,	'79
			Pierce, W.....	1786,	'87
				{ 1777,	'79
			Telfair, Edward.....	{ 1780,	'83
				{ 1776,	'79
			Walton, George.....	{ 1780,	'81
			Wood, Joseph.....	1777,	'79
			Zubly, John J.....	1775,	'76

SIGNERS OF THE DECLARATION OF INDEPENDENCE,

IN CONGRESS ASSEMBLED, JULY 4, 1776.

The following list of members of the continental Congress, who signed the Declaration of Independence (although the names are included in the general list of that Congress, from 1774 to 1788), is given separately, for the purpose of showing the places and dates of their birth, and the time of their respective deaths, for convenient reference.

NAMES OF THE SIGNERS.	BORN AT	DELEGATED FROM	DIED
Adams, John . . .	Braintree, Mass., 19 Oct. 1735	Massachusetts,	4 July, 1826
Adams, Samuel . . .	Boston, " 27 Sep. 1722	Massachusetts,	2 Oct., 1803
Bartlett, Josiah . . .	Amesbury, " in Nov. 1729	New Hampshire,	19 May, 1795
Braxton, Carter . . .	Newington, Va., 10 Sep. 1736	Virginia,	10 Oct., 1797
Carroll, Cha's, of Car'lon	Annapolis, Md., 20 Sep. 1737	Maryland,	14 Nov., 1832
Chase, Samuel . . .	Somerset co., Md., 17 Apr. 1741	Maryland,	19 June, 1811
Clark, Abraham . . .	Elizabeth'n, N. J. 15 Feb. 1726	New Jersey,	— Sept., 1794
Clymer, George . . .	Philadelphia, Penn., in 1739	Pennsylvania,	23 Jan., 1813
Ellery, William . . .	Newport, R. I., 22 Dec. 1727	R. I. & Prov. Pl.	15 Feb., 1820
Floyd, William . . .	Suffolk co., N. Y., 17 Dec. 1734	New York,	4 Aug., 1821
Franklin, Benjamin . . .	Boston, Mass., 17 Jan. 1706	Pennsylvania,	17 April, 1790
Gerry, Elbridge . . .	Marblehead, Mass., 17 Jul. 1744	Massachusetts,	23 Nov., 1814
Gwinnet, Button . . .	England, in 1732	Georgia,	27 May, 1777
Hall, Lyman . . .	—, Conn., in 1731	Georgia,	— Feb., 1790
Hancock, John . . .	Braintree, Mass., in 1737	Massachusetts,	8 Oct., 1793
Harrison, Benjamin . . .	Berkely, Virginia, —	Virginia,	— April, 1791
Hart, John . . .	Hopewell, N. J., about 1715	New Jersey,	—, 1780
Heyward, Thomas, jr.	St. Luke's, S. C., in 1746	South Carolina,	— Mar., 1809
Hewes, Joseph . . .	Kingston, N. J., in 1730	North Carolina,	10 Nov., 1779
Hooper, William . . .	Boston, Mass., 17 June, 1742	North Carolina,	— Oct., 1790
Hopkins, Stephen . . .	Scituate, " 7 Mar. 1707	R. I. & Prov. Pl.	13 July, 1785
Hopkinson, Francis . . .	Philadelphia, Penn., in 1737	New Jersey,	9 May, 1790
Huntington, Samuel . . .	Windham, Conn., 3 July, 1732	Connecticut,	5 Jan., 1796
Jefferson, Thomas . . .	Shadwell, Va., 13 Apr. 1743	Virginia,	4 July, 1826
Lee, Francis Lightfoot . . .	Stratford, " 14 Oct. 1734	Virginia,	— April, 1797
Lee, Richard Henry . . .	Stratford, " 20 Jan. 1732	Virginia,	19 June, 1794
Lewis, Francis . . .	Llandaff, Wales, in Mar. 1713	New York,	30 Dec., 1803
Livingston, Philip . . .	Albany, N. Y., 15 Jan. 1716	New York,	12 June, 1778
Lynch, Thomas, jr. . .	St. George's, S. C., 5 Aug. 1749	South Carolina,	lost at sea 1779
M'Kean, Thomas . . .	Chester co., Pa., 19 Mar., 1734	Delaware,	24 June, 1817
Middleton, Arthur . . .	Middleton Place, S. C., in 1743	South Carolina,	1 Jan., 1787
Morris, Lewis . . .	Morrisania, N. Y., in 1726	New York,	22 Jan 1798
Morris, Robert . . .	Lancashire, Eng., Jan. 1733-'4	Pennsylvania,	8 May, 1806
Morton, John . . .	Ridley, Penn., in 1724	Pennsylvania,	— April, 1777
Nelson, Thomas, jr. . .	York, Virginia, 26 Dec. 1738	Virginia,	4 Jan., 1789
Paca, William . . .	Wye-Hill, Md., 31 Oct. 1740	Maryland,	—, 1799
Paine, Robert Treat . . .	Boston, Mass., in 1731	Massachusetts,	11 May, 1804
Penn, John . . .	Caroline co., Va., 17 May, 1741	North Carolina,	26 Oct., 1809
Read, George . . .	Cecil co., Md., in 1734	Delaware,	—, 1798
Rodney, Cæsar . . .	Dover, Delaware, in 1730	Delaware,	—, 1783
Ross, George . . .	New Castle, Del., in 1730	Pennsylvania,	— July, 1779
Rush, Benjamin, M. D. . .	Byberry, Penn., 24 Dec. 1745	Pennsylvania,	19 April, 1813
Rutledge, Edward . . .	Charleston, S. C., in Nov. 1749	South Carolina,	23 Jan., 1800
Sherman, Roger . . .	Newton, Mass., 19 Apr. 1721	Connecticut,	23 July, 1793
Smith, James . . .	—, Ireland, —	Pennsylvania,	11 July, 1806
Stockton, Richard . . .	Princeton, N. J., 1 Oct. 1730	New Jersey,	28 Feb., 1781
Stone, Thomas . . .	Charles co., Md., in 1742	Maryland,	5 Oct., 1787
Taylor, George . . .	—, Ireland, in 1716	Pennsylvania,	23 Feb., 1781
Thornton, Matthew . . .	—, " in 1714	New Hampshire,	24 June, 1803
Walton, George . . .	Frederick co., Va., in 1740	Georgia,	2 Feb., 1804
Whipple, William . . .	Kittery, Maine, in 1730	New Hampshire,	28 Nov., 1785
Williams, William . . .	Lebanon, Conn., 8 Apr. 1731	Connecticut,	2 Aug. 1811
Wilson, James . . .	Seaboard, about 1742	Pennsylvania,	28 Aug., 1798
Witherspoon, John . . .	Yester, Scotland, 5 Feb. 1722	New Jersey,	15 Nov., 1794
Wolcott, Oliver . . .	Windsor, Conn., 26 Nov. 1726	Connecticut,	1 Dec., 1797
Wythe, George . . .	Elizabeth city co., Va., 1726	Virginia,	8 June, 1806

SENATORS AND REPRESENTATIVES IN CONGRESS,

From the commencement of the Government under the Constitution, to the end of the Twenty-ninth Congress, March 3d, 1847, with the beginning and termination of their respective periods. [Corrected from the Treasurer's Accounts.]

We are indebted to the American Almanac for 1844 for such part of the following list as extends from the first Congress, in 1789, to the end of the twenty-seventh Congress, March 3d, 1843; and have availed ourselves of the permission of the proprietors of that useful work, to copy the same, with corrections and additions for the twenty-eighth and twenty-ninth Congresses.

MAINE.—1820.

Senators.

	From	To		From	To
Chandler, John.....	1820,	'29	Kavanaugh, Edward.....	1831,	'35
Dana, Judah.....	1836,	'37	Kidder, David.....	1823,	'27
Evans, George.....	1841,	'47	Lincoln, Enoch.....	1821,	'26
Fairfield, John.....	1843,	'51	Littlefield, Nathaniel S.....	1841,	'43
Holmes, John.....	{ 1820,	'27	Longfellow S.....	1823,	'25
	{ 1828,	'33	Lowell, Joshua A.....	1839,	'43
Parris, Albion K.....	1827,	'28	Marshall, Alfred.....	1841,	'43
Ruggles, John.....	1835,	'41	Mason, Moses.....	1834,	'37
Sprague, Peleg.....	1829,	'35	M'Crate, John D.....	1845,	'47
Shepley, Ether.....	1833,	'36	M'Intire, Rufus.....	1826,	'35
Williams, Reuel.....	1837,	'43	Morse, Freeman H.....	1843,	'45
			Noyes, Joseph C.....	1837,	'39
			O'Brien, Jeremiah.....	1823,	'29
			Parks, Gorham.....	1833,	'37
			Parris, Virgil D.....	1838,	'41
			Randall, Benjamin.....	1839,	'43
			Ripley, James W.....	1827,	'31
			Robinson, Edward.....	1838,	'39
			Sawtelle, Cullen.....	1845,	'47
			Scammon, John F.....	1845,	'47
			Severance, Luther.....	1843,	'47
			Smith, Albert.....	1839,	'41
			Smith, F. O. J.....	1833,	'39
			Sprague, P.....	1825,	'29
			White, Benjamin.....	1843,	'45
			Whitman, E.....	1821,	'22
			Williams, Hezekiah.....	1845,	'47
			Williamson, W. D.....	1821,	'23
			Wingate, J. F.....	1827,	'31

Representatives.

Allen, Elisha H.....	1841,	'43
Anderson, Hugh J.....	1837,	'41
Anderson John.....	1825,	'33
Bailey, Jeremiah.....	1835,	'37
Bates, James.....	1831,	'33
Bronson, David.....	1841,	'43
Burleigh, William.....	1823,	'27
Butman, Samuel.....	1827,	'31
Carey, Shepard.....	1843,	'45
Carter, Timothy J.....	1837,	'38
Cilley, Jonathan.....	1837,	'38
Clifford, Nathan.....	1839,	'43
Cushman Joshua P.....	1821,	'25
Dane, Joseph.....	1821,	'23
Davee, Thomas.....	1837,	'41
Dunlap, Robert P.....	1843,	'47
Evans, George.....	1829,	'41
Fairfield, John.....	1835,	'39
Fessenden William P.....	1841,	'43
Hall, Joseph.....	1833,	'37
Hamlin, Hannibal.....	1843,	'47
Harris, Mark.....	1822,	'23
Herrick, Ebenezer.....	1821,	'27
Herrick, Joshua.....	1843,	'45
Hill, Mark L.....	1821,	'23
Holland, Cornelius.....	1831,	'33
Jarvis, Leonard.....	1831,	'37

NEW HAMPSHIRE.

Senators.

Atherton, Charles G.....	1843,	'49
Bell, Samuel.....	1823,	'35
Cutts, Charles.....	1810,	'13
Gilman, Nicholas.....	1805,	'14
Hill, Isaac.....	1831,	'36
Hubbard, Henry.....	1835,	'41
Langdon, John.....	1789,	1801
Livermore, S.....	1793,	1801
Mason, Jeremiah.....	1813,	'17
Jenness, Benning W.....	1845,	'46

	From	To
Morrill, David L.....	1817,	'23
Olcott, Simeon.....	1801,	'05
Page, John.....	1836,	'37
Parker, Nahum.....	1807,	'10
Parrott, John F.....	1819,	'25
Pierce, Franklin.....	1837,	'42
Plumer, William.....	1802,	'07
Sheafe, James.....	1801,	'02
Storer, Clement.....	1817,	'19
Thompson, T. W.....	1814,	'17
Wilcox, Leonard.....	1842,	'43
Wingate, Paine.....	1789,	'93
Woodbury Levi.....	{ 1825,	'31
	{ 1841,	'45

Representatives.

Atherton, Charles G.....	1837,	'43
Atherton, C. H.....	1815,	'17
Barker, David.....	1827,	'29
Bartlett, Ichabod.....	1823,	'29
Bartlett, Josiah.....	1811,	'13
Bean, Benning M.....	1833,	'37
Betton, Silas.....	1803,	'07
Blaisdell, Daniel.....	1809,	'11
Brodhead, John.....	1829,	'33
Brown, Titus.....	1825,	'29
Buffum, Joseph.....	1819,	'21
Burke, Edmund.....	1839,	'45
Burns, Robert.....	1833,	'37
Butler, Josiah.....	1817,	'23
Carlton, Peter.....	1807,	'09
Chamberlain, J. C.....	1809,	'11
Chandler, Thomas.....	1829,	'33
Cilley, Bradbury.....	1813,	'17
Claggett, Clifton.....	{ 1803,	'05
	{ 1817,	'21
Cushman, Samuel.....	1835,	'39
Dinsmoor, Samuel.....	1811,	'13
Durell, Daniel M.....	1807,	'09
Eastman, Ira A.....	1839,	'43
Eastman, Nehemiah.....	1825,	'27
Ellis, Caleb.....	1805,	'07
Farrington, James.....	1837,	'39
Foster, Abiel.....	{ 1789,	'91
	{ 1795,	1803
Freeman, Jonathan.....	1797,	1801
Gardner, Francis.....	1807,	'09
Gilman, Nicholas.....	1789,	'97
Gordon, William.....	1797,	1800
Hale, Salma.....	1817,	'19
Hale, William.....	{ 1809,	'11
	{ 1813,	'17
Hale, John P.....	1843,	'45
Hall, Obed.....	1811,	'13
Hammons, Joseph.....	1829,	'33
Harper, John A.....	1811,	'13
Harper, Joseph M.....	1831,	'35
Harvey, Jonathan.....	1825,	'31
Harvey, Matthew.....	1821,	'25
Haven, Nathaniel A.....	1809,	'11
Healy, Joseph.....	1825,	'29
Hough, David.....	1803,	'07
Hubbard, Henry.....	1829,	'35
Hunt Samuel.....	1802,	'05

	From	To
Johnson, James H.....	1845,	'47
Livermore, Arthur.....	{ 1817,	'21
	{ 1823,	'25
Livermore, S.....	1789,	'93
Matson, Aaron.....	1821,	'25
Moulton, Mace.....	1845,	'47
Norris, Moses, jr.....	1843,	'47
Parrott, John F.....	1817,	'19
Pierce, Joseph.....	1801,	'02
Pierce, Franklin.....	1833,	'37
Plumer, William, jr.....	1819,	'25
Reding, John R.....	1841,	'45
Shaw, Tristram.....	1839,	'43
Sheafe, James.....	1799,	1801
Sherburne, J. S.....	1793,	'97
Smith, Jedekiah K.....	1807,	'09
Smith, Jeremiah.....	1791,	'97
Smith, Samuel.....	1813,	'15
Sprague, Peleg.....	1797,	'99
Storer, Clement.....	1707,	'09
Sullivan, George.....	1811,	'13
Tenney, Samuel.....	1800,	'07
Thompson, T. W.....	1805,	'07
Upham, George B.....	1801,	'03
Upham, Nathaniel.....	1817,	'23
Vose, Roger.....	1813,	'17
Webster, Daniel.....	1813,	'17
Weeks, John W.....	1829,	'33
Weeks, Joseph.....	1835,	'39
Whipple, Thomas.....	1821,	'29
Wilcox, Jeduthun.....	1813,	'17
Williams, Jared W.....	1837,	'41
Wilson, James.....	1809,	'11
Wingate, Paine.....	1793,	'95

VERMONT.—1791.

Senators.

Bradley, S. R.....	{ 1791,	'95
	{ 1801,	'13
Chase, Dudley.....	{ 1813,	'17
	{ 1825,	'31
Chipman, Nathaniel.....	1797,	1802
Crafts, Samuel C.....	1842,	'43
Fisk, James.....	1817,	'18
Paine, Elijah.....	1795,	1801
Palmer, William A.....	1818,	'25
Phelps, Samuel S.....	1839,	'51
Prentiss, Samuel.....	1831,	'42
Robinson, Jonathan.....	1807,	'15
Robinson, Moses.....	1791,	'96
Seymour, Horatio.....	1821,	'33
Smith, Israel.....	1802,	'07
Swift, Benjamin.....	1833,	'39
Tichenor, I.....	{ 1796,	'97
	{ 1815,	'21
Upham, William.....	1843,	'49

Representatives.

Allen, Heman.....	{ 1817,	'19
	{ 1827,	'28
	{ 1833,	'39
Bradley, William C.....	{ 1813,	'15
	{ 1823,	'27
Buck, Daniel.....	1795,	'97

	From	To		From	To
Buck, D. A. A.....	{ 1823,	'25	Bates, Isaac C.....	1841,	'45
Butler, Ezra.....	{ 1827,	'29	Cabot, George.....	1791,	'96
Cahoon, William.....	1813,	'15	Choate, Rufus.....	1841,	'45
Chamberlain, William.....	1829,	'33	Dalton, Tristram.....	1789,	'91
Chipman, Daniel.....	{ 1803,	'05	Davis, John.....	{ 1835,	'41
Chittenden, M.....	1809,	'11	Dexter, Samuel.....	{ 1845,	'53
Collamer, Jacob.....	1815,	'17	Foster, Dwight.....	1799,	1800
Crafts, Samuel C.....	1803,	'13	Goodhue, Benjamin.....	1800,	'03
Deming, Benjamin F.....	1843,	'47	Gore, Christopher.....	1796,	1800
Dillingham, Paul, jr.....	1817,	'25	Lloyd, James.....	1813,	'16
Elliot, James.....	1833,	'35	Mason, Jonathan.....	{ 1808,	'13
Everett, Horace.....	1843,	'47	Mellen, Prentiss.....	{ 1822,	'26
Fisk, James.....	1803,	'09	Mills, Elijah H.....	1800,	'03
Fletcher, Isaac.....	1829,	'43	Otis, Harrison G.....	1818,	'20
Foot, Solomon.....	{ 1805,	'09	Pickering, Timothy.....	1820,	'27
Hall, Hiland.....	1811,	'15	Sedgwick, Theodore.....	1817,	'22
Hubbard, Jonathan H.....	1837,	'41	Silsbee, Nathaniel.....	1803,	'11
Hunt, Jonathan.....	1843,	'47	Strong, Caleb.....	1796,	'99
Hunter, William.....	1833,	'43	Varnum, Joseph B.....	1826,	'35
James, Henry F.....	1809,	'11	Webster, Daniel.....	1789,	'96
Jewett, Luther.....	1827,	'32		1811,	'17
Keyes, Elias.....	1817,	'19		{ 1827,	'41
Langdon, C.....	1835,	'37		{ 1845,	'47
Lyon, Asa.....	1815,	'17			
Lyon, Matthew.....	1821,	'23			
Mallory, Rollin C.....	1815,	'17			
Marsh, Charles.....	1797,	1801			
Marsh, George P.....	1819,	'31			
	1815,	'17			
	1843,	'47			
	{ 1821,	'23			
	1825,	'25			
	1841,	'43			
	1819,	'21			
	1825,	'27			
	1817,	'19			
	1797,	1803			
	1791,	'95			
	1815,	'17			
	1803,	'07			
	1824,	'25			
	1813,	'15			
	1817,	'24			
	1817,	'21			
	1808,	'13			
	1813,	'15			
	1831,	'43			
	1791,	'97			
	1801,	'02			
	1839,	'41			
	1811,	'15			
	1819,	'21			
	1829,	'31			
	1825,	'29			
	1821,	'23			
	1807,	'08			
	1841,	'43			

MASSACHUSETTS.

Senators.

Adams, John Q.....	1803,	'08			
Ashmun, Eli P.....	1816,	'18			

Representatives.

Abbott, Amos.....	1843,	'47			
Adams, Benjamin.....	1816,	'21			
Adams, J. Q.....	1831,	'47			
Allen, Joseph.....	1810,	'11			
Allen, Samuel C.....	1817,	'29			
Ames, Fisher.....	1789,	'97			
Appleton, Nathan.....	{ 1831,	'33			
	{ 1842,	'42			
Ashmun, George.....	1845,	'47			
Bacon, Ezekiel.....	1807,	'13			
Bacon, John.....	1801,	'03			
Bailey, John.....	1823,	'31			
Baker, Osmyn.....	1840,	'45			
Barker, Joseph.....	1805,	'09			
Barstow, Gideon.....	1821,	'23			
Bartlett, Bailey.....	1797,	1801			
Bates, Isaac C.....	1827,	'36			
Baylies, Francis.....	1821,	'27			
Baylies, William.....	{ 1805,	'09			
	{ 1813,	'17			
Baylies, William.....	1833,	'35			
Bidwell, Barnabas.....	1805,	'07			
Bigelow, Abijah.....	1810,	'15			
Bigelow, Lewis.....	1821,	'23			
Bishop, Phauluel.....	1799,	1807			
Borden, N. B.....	{ 1835,	'39			
	{ 1842,	'43			
Bourne, S.....	1791,	'95			
Bradbury, George.....	1813,	'17			
Bradbury, Theophilus.....	1795,	'97			
Briggs, George N.....	1831,	'43			
Brigham, Elijah.....	1811,	'16			
Brown, Benjamin.....	1815,	'17			
Bruce, Phineas.....	1803,	'05			
Bullock, Stephen.....	1797,	'99			
Burnell, Barker.....	1841,	'43			
Calhoun, William B.....	1835,	'43			
Carr, Francis.....	1812,	'13			
Carr, James.....	1815,	'17			

	From	To		From	To
Chandler, John.....	1805,	'08	Lathrop, Samuel.....	1819,	'27
Choate, Rufus.....	1831,	'35	Lawrence, Abbott.....	{ 1835,	'37
Cobb, David.....	1793,	'95		{ 1839,	'40
Coffin, Peleg.....	1793,	'95	Lee, Silas.....	{ 1799,	1801
Conner, Samuel S.....	1815,	'17	Leonard, George.....	{ 1789,	'93
Cook, Orchard.....	1805,	'11		{ 1795,	'97
Crowninshield, B. W.....	1823,	'31	Lincoln, Levi.....	{ 1799,	1801
Crowninshield, Jacob.....	1803,	'08	Lincoln, Levi.....	{ 1834,	'41
Cushing, Caleb.....	1835,	'43	Lincoln, Enoch.....	{ 1818,	'21
Cushman, Joshua P.....	1819,	'21	Livermore, Edward S.....	{ 1807,	'11
Cutler, Manasseh.....	1801,	'05	Locke, John.....	{ 1823,	'29
Cutts, Richard.....	1801,	'13	Lyman, Samuel.....	{ 1795,	1800
Dana, Samuel.....	1814,	'15	Lyman, William.....	{ 1793,	'97
Davis, John.....	1825,	'34	Mason, Jonathan.....	{ 1817,	'20
Davis, Samuel.....	1813,	'15	Mattoon, Ebenezer.....	{ 1800,	'03
Deane, Josiah.....	1807,	'09	Mills, Elijah H.....	{ 1815,	'19
Dearborn, Henry.....	1793,	'97	Mitchell, Nahum.....	{ 1803,	'05
Dearborn, H. A. S.....	1831,	'33	Morton, Marcus.....	{ 1817,	'21
Dewey, Daniel.....	1813,	'14	Nelson, Jeremiah.....	{ 1805,	'07
Dexter, Samuel.....	1793,	'95		{ 1815,	'23
Dowse, Edward.....	1819,	'20	Orr, Benjamin.....	{ 1817,	'19
Dwight, Henry W.....	1821,	'31	Osgood, Gayton P.....	{ 1833,	'35
Dwight, Thomas.....	1803,	'05	Otis, Harrison G.....	{ 1797,	1801
Ely, William.....	1805,	'15	Parker, James.....	{ 1813,	'15
Eustis, William.....	{ 1801,	'05		{ 1819,	'21
	{ 1820,	'23	Parker, Isaac.....	{ 1797,	'99
Everett, Edward.....	1825,	'35	Parmenter, William.....	{ 1837,	'45
Fletcher, Richard.....	1837,	'39	Parris, A. K.....	{ 1815,	'18
Folger, Walter.....	1817,	'21	Partridge, George.....	{ 1789,	'91
Foster, Dwight.....	1793,	'99	Phillips, Stephen C.....	{ 1835,	'39
Freeman, Nathaniel.....	1795,	'99	Pickering, Timothy.....	{ 1813,	'17
Fuller, Timothy.....	1817,	'25	Pickman, Benjamin.....	{ 1809,	'11
Gage, Josiah.....	1817,	'19	Quincy, Josiah.....	{ 1805,	'13
Gannett, Barzillai.....	1809,	'11	Read, John.....	{ 1795,	1801
Gardner, Gideon.....	1809,	'11	Reed, John.....	{ 1813,	'17
Gerry, Elbridge.....	1789,	'93		{ 1821,	'41
Goodhue, Benjamin.....	1789,	'96	Reed, Nathan.....	{ 1800,	'03
	{ 1820,	'23	Reed, Thomas.....	{ 1811,	'15
Gorham, Benjamin.....	{ 1827,	'31	Rice, Thomas.....	{ 1815,	'19
	{ 1833,	'35	Richardson, J.....	{ 1827,	'31
	{ 1805,	'09	Richardson, W. M.....	{ 1811,	'14
Green, I. L.....	{ 1811,	'13	Rockwell, Julius W.....	{ 1843,	'47
Grennell, George, jr.....	1829,	'39	Ruggles, Nathaniel.....	{ 1813,	'19
Grinnell, Joseph.....	1843,	'47	Russell, Jonathan.....	{ 1821,	'23
Grout, Jonathan.....	1789,	'91	Saltonstall, Leverett.....	{ 1839,	'43
Hastings, Seth.....	1801,	'07	Sampson, Zabdiel.....	{ 1817,	'20
Hastings, William S.....	1837,	'42	Seaver, Ebenezer.....	{ 1803,	'13
Hill, Mark L.....	1819,	'21		{ 1789,	'96
Hoar, Samuel.....	1835,	'37	Sedgwick, T.....	{ 1799,	1800
Hobart, Aaron.....	1826,	'27	Sewall, Samuel.....	{ 1796,	1800
Hodges, James L.....	1827,	'31	Shaw, Henry.....	{ 1817,	'21
Holten, Samuel.....	1793,	'95	Shepard, William.....	{ 1797,	1803
Holmes, John.....	1817,	'20	Sibley, Jonas.....	{ 1823,	'25
Hubbard, Levi.....	1813,	'15	Silsbee, Nathaniel.....	{ 1817,	'21
Hudson, Charles.....	1841,	'43		{ 1796,	'99
Hulbert, John W.....	1814,	'17	Skinner, Thomson, jr.....	{ 1803,	'04
Isley, Daniel.....	1807,	'09	Smith, Josiah.....	{ 1801,	'03
Jackson, William.....	1834,	'37	Stearns, Asahel.....	{ 1816,	'17
Kendall, Joseph.....	1819,	'21	Stedman, William.....	{ 1803,	'10
Kendall, J. G.....	1829,	'33	Story, Joseph.....	{ 1808,	'09
King, Cyrus.....	1813,	'17	Strong, Solomon.....	{ 1815,	'19
King, Daniel P.....	1843,	'47	Taggart, Samuel.....	{ 1803,	'17
Kinsley, Martin.....	1819,	'21	Tallman, Peleg.....	{ 1811,	'18
Larned, Simeon.....	1804,	'05	Thacher, George.....	{ 1789,	1801

	From	To
Thacher, Samuel.....	1802,	'05
Turner, Charles.....	1809,	'13
Upham, Jabez.....	1807,	'10
Varnum, John.....	1825,	'31
Varnum, Joseph B.....	1795,	1811
Wadsworth, P.....	1793,	1807
Ward, Artemas.....	1791,	'95
Ward, Artemas.....	1813,	'17
Webster, Daniel.....	1823,	'27
Wheaton, Laban.....	1809,	'17
White, Leonard.....	1811,	'13
Whitman, E.....	{ 1809,	'11
	{ 1817,	'21
Widgery, William.....	1811,	'13
Williams, Henry.....	1839,	'45
Williams, Lemuel.....	1799,	1805
Wilson, John.....	{ 1813,	'15
	{ 1817,	'19
Winthrop, Robert C.....	{ 1841,	'43
	{ 1845,	'47
Wood, Abiel.....	1813,	'15

RHODE ISLAND.

Senators.—1790.

Bradford, William.....	1793,	'97
Burrill, James.....	1817,	'21
Champlin, C. G.....	1809,	'11
DeWolf, James.....	1821,	'25
Dixon, Nathan F.....	1839,	'42
Ellery, Christopher.....	1801,	'05
Fenner, James.....	1805,	'07
Foster, Theodore.....	1790,	1803
Francis, John Brown.....	1844,	'45
Greene, Ray.....	1797,	1801
Greene, Albert C.....	1845,	'51
Howell, Jeremiah B.....	1811,	'17
Howland, Benjamin.....	1804,	'09
Hunter, William.....	1811,	'21
Knight, Nehemiah R.....	1821,	'41
Malbone, Francis.....	1809,	'09
Matthewson, Elisha.....	1807,	'11
Potter, Samuel J.....	1803,	'04
Robins, Asher.....	1825,	'39
Simmons, J. F.....	1841,	'47
Sprague, William.....	1842,	'44
Stanton, Joseph.....	1790,	'93

Representatives.—1790.

Arnold, Lemuel H.....	1845,	'47
Boss, John L.....	1815,	'19
Bourne, Benjamin.....	1790,	'96
Brown, John.....	1799,	1801
Burgess, Tristram.....	1825,	'35
Champlin, C. G.....	1797,	1801
Cranston, Robert B.....	1837,	'43
Cranston, Henry Y.....	1843,	'47
Durfee, Job.....	1821,	'25
Eddy, Samuel.....	1819,	'25
Hazard, Nathaniel.....	1819,	'21
Jackson, Richard S.....	1808,	'15
Knight, Nehemiah.....	1803,	'08
Malbone, Francis.....	1793,	'97
Mason, James B.....	1815,	'19

Pearce, Dutee J.....	{ 1825,	'33
	{ 1834,	'37
Potter, Elisha R.....	{ 1796,	'97
	{ 1809,	'15
Potter, Elisha R., jr.....	1843,	'45
Sprague, William, jr.....	1835,	'37
Stanton, Joseph.....	1801,	'07
Tillinghast, Joseph.....	1837,	'43
Tillinghast, Thomas.....	{ 1797,	'99
	{ 1801,	'03
Wilbur, Isaac.....	1807,	'09

CONNECTICUT.

Senators.

Betts, Thaddens.....	1839,	'40
Boardman, Elijah.....	1821,	'23
Daggett, David.....	1813,	'19
Dana, Samuel W.....	1810,	'21
Edwards, H. W.....	1823,	'27
Ellsworth, Oliver.....	1789,	'96
Foot, Samuel A.....	1827,	'33
Goodrich, C.....	1807,	'13
Hillhouse, James.....	1796,	1810
Huntington, Jabez W.....	1840,	'51
Johnson, William S.....	1789,	'91
Lanman, James.....	1819,	'25
Mitchell, S. M.....	1793,	'95
Niles, John M.....	{ 1836,	'39
	{ 1843,	'49
Sherman, Roger.....	1791,	'93
Smith, Nathan.....	1833,	'36
Smith, Perry.....	1837,	'43
Tomlinson, Gideon.....	1831,	'37
Tracy, Uriah.....	1796,	1807
Trumbull, Jonathan.....	1795,	'96
Willey, Calvin.....	1825,	'31

Representatives.

Allen, John.....	1797,	'99
Baldwin, John.....	1825,	'29
Baldwin, Simeon.....	1803,	'05
Barber, Noyes.....	1821,	'35
Boardman, William W.....	1841,	'43
Brace, Jonathan.....	1798,	1800
Brockway, John H.....	1839,	'43
Burrows, Enoch.....	1821,	'23
Catlin, George H.....	1843,	'45
Champion, Epaphroditus.....	1807,	'17
Coit, Joshua.....	1793,	'98
Dana, Samuel W.....	1796,	1810
Davenport, James.....	1796,	'98
Davenport, John.....	1799,	1817
Dixon, James.....	1845,	'47
Dwight, Theodore.....	1806,	'07
Edmond, William.....	1798,	1801
Edwards, H. W.....	1819,	'23
Ellsworth, W. W.....	1829,	'34
	{ 1819,	'21
Foot, S. A.....	{ 1823,	'25
	{ 1833,	'34
Gilbert, Sylvester.....	1818,	'19
Goddard, Calvin.....	1801,	'05
Goodrich, C.....	1795,	1801

	From	To
Goodrich, Elizur.....	1799,	1801
Griswold, Roger.....	1795,	1805
Haley, Elisha.....	1835,	'39
Hillhouse, James.....	1791,	'96
Holmes, Uriel.....	1817,	'18
Holt, Orrin.....	1837,	'39
Hubbard, Samuel D.....	1845,	'47
Huntington, B.....	1789,	'91
Huntington, E.....	{ 1810,	'11
	{ 1817,	'19
Huntington, J. W.....	1829,	'34
Ingersoll, Ralph J.....	1825,	'33
Ingham, Samuel.....	1835,	'39
Judson, Andrew.....	1835,	'36
Larned, Amasa.....	1791,	'95
Law, Lyman.....	1811,	'17
Merwin, Orange.....	1825,	'29
Moseley, Jonathan O.....	1805,	'21
Osborne, Thomas B.....	1839,	'43
Perkins, Elias.....	1801,	'03
Phelps, E.....	{ 1819,	'21
	{ 1825,	'29
Phelps, Launcelot.....	1835,	'39
Pitkin, Timothy.....	1805,	'19
Plant, David.....	1827,	'29
Rockwell, John A.....	1845,	'47
Russ, John.....	1819,	'23
Seymour, Thomas H.....	1843,	'45
Simons, Samuel.....	1843,	'45
Sherman, Roger.....	1789,	'91
Sherwood, S. B.....	1817,	'19
Smith, John C.....	1800,	'06
Smith, Nathaniel.....	1795,	'99
Smith, Truman.....	{ 1839,	'43
	{ 1845,	'47
Stephens, James.....	1819,	'21
Sterling, Ansel.....	1821,	'25
Stoddard, Ebenezer.....	1821,	'25
Storrs, William L.....	{ 1829,	'33
	{ 1839,	'40
Sturges, Jonathan.....	1789,	'93
Sturges, Lewis B.....	1805,	'17
Stewart, John.....	1843,	'45
Swift, Zephaniah.....	1793,	'97
Talmadge, Benjamin.....	1801,	'17
Terry, Nathaniel.....	1817,	'19
Tomlinson, G.....	1819,	'27
Toucey, Isaac.....	1835,	'39
Tracy, Uriah.....	1793,	'96
Trumbull, Jonathan.....	1789,	'95
Trumbull, Joseph.....	1839,	'43
Tweedy, Samuel.....	1833,	'35
Wadsworth, Jeremiah.....	1789,	'95
Whitman, L.....	1823,	'25
Whittlesey, Thomas T.....	1836,	'39
Wildman, Zalmon.....	1835,	'36
Williams, Thomas S.....	1817,	'19
Williams, Thomas W.....	1839,	'43
Young, Ebenezer.....	1829,	'35

NEW YORK.

Senators.

Armstrong, John.....	{ 1800,	'02
	{ 1803,	'04

	From	To
Bailey, Theodorus.....	1803,	'04
Burr, Aaron.....	1791,	'97
Clinton, De Witt.....	1802,	'03
Dickinson, Daniel S.....	1844,	'51
Dix, John A.....	1845,	'49
Dudley, Charles E.....	1828,	'33
Foster, Henry A.....	1844,	'45
German, Obadiah.....	1809,	'15
Hobart, John S.....	1797,	'98
King, Rufus.....	{ 1789,	'96
	{ 1813,	'25
Lawrence, John.....	1796,	1800
Marcy, William I.....	1831,	'32
Mitchell, Samuel L.....	1804,	'09
Morris, Gouverneur.....	1800,	'03
North, William.....	1798,	'98
Sanford, Nathan.....	{ 1815,	'21
	{ 1825,	'31
Schuyler, Philip.....	1789,	'91
Smith, John.....	1804,	'13
Tallmadge, Nathaniel P.....	1833,	'44
Van Buren, Martin.....	1821,	'28
Watson, John.....	1798,	1800
Wright, Silas.....	1833,	'44

Representatives.

Adams, John.....	1833,	'35
Adams, Parmenio.....	1823,	'27
Adgate, David.....	1815,	'17
Allen, Judson.....	1839,	'41
Allen, Nathaniel.....	1819,	'21
Anderson, Joseph H.....	1843,	'47
Andrews, John T.....	1837,	'39
Angel, William G.....	{ 1825,	'27
	{ 1829,	'33
Arnold, Benedict.....	1829,	'31
Ashley, Henry.....	1825,	'27
Avery, David.....	{ 1811,	'15
	{ 1816,	'17
Babcock, Alfred.....	1841,	'43
Babcock, William.....	1831,	'33
Badger, Luther.....	1825,	'27
Bailey, Theodorus.....	{ 1793,	'97
	{ 1799,	1803
Baker, Caleb.....	1819,	'21
Barnard, D. D.....	{ 1827,	'29
	{ 1839,	'45
Barstow, Gamaliel H.....	1831,	'33
Barton, Samuel.....	1835,	'37
Beardsley, Samuel.....	1831,	'36
Beekman, Thomas.....	1829,	'31
Belden, George O.....	1827,	'29
Benson, Egbert.....	1789,	'93
Benton, Charles S.....	1843,	'47
Bergen, John T.....	1831,	'33
Betts, Samuel R.....	1815,	'17
Bicknell, Bennet.....	1837,	'39
Bird, John.....	1799,	1801
Birdsall, James.....	1815,	'17
Birdsall, Samuel.....	1837,	'39
Birdseye, Victory.....	1815,	'17
Birdseye, Victory.....	1841,	'43
Blair, Barnard.....	1841,	'43
Blake, John.....	1805,	'09

	From	To		From	To
Bleecker, Hermanus.....	1811,	'13	Curtis, Edward.....	1837,	'41
Bockee, Abraham.....	{ 1829,	'31	Cushman, John P.....	1817,	'19
	{ 1833,	'37	Dana, Amasa.....	{ 1839,	'41
Bodle, Charles.....	1833,	'35		{ 1843,	'45
Borland, Charles.....	1821,	'23	Davis, Richard D.....	1841,	'45
Borst, Peter J.....	1829,	'31	Day, Rowland.....	{ 1823,	'25
Bouck, Joseph.....	1831,	'33		{ 1833,	'35
Bovee, Matthias J.....	1835,	'37	Dayan, Charles.....	1831,	'33
Bowers, John M.....	1813,	'14	De Graff, John I.....	{ 1827,	'29
Bowne, Samuel S.....	1841,	'43		{ 1837,	'39
Boyd, Alexander.....	1813,	'15	Deitz, William.....	1825,	'27
Brewster, David P.....	1839,	'43	De Mott, John.....	1845,	'47
	{ 1831,	'33	De Witt, Charles G.....	1829,	'31
Broadhead, John C.....	{ 1837,	'39	De Witt, Jacob H.....	1819,	'21
Bronson, Isaac H.....	1837,	'39	Dickinson, J. D.....	{ 1819,	'23
Brooks, David.....	1797,	'99		{ 1827,	'31
Brooks, Micah.....	1815,	'17	Dickson, John.....	1831,	'35
Brown, Anson.....	1839,	'40	Doig, Andrew W.....	1839,	'43
Brown, John W.....	1833,	'37	Doneyelles, Peter.....	1813,	'15
Bruyn, Andrew D. W.....	1837,	'39		{ 1831,	'33
Bunner, Rudolph.....	1827,	'29	Doubleday, Ulysses F.....	{ 1835,	'37
Cady, Daniel.....	1815,	'17	Drake, John R.....	1807,	'19
Cady, John W.....	1823,	'25	Dwinell, Justin.....	1823,	'25
Cambreleng, Churchill C.....	1821,	'39	Eager, S. W.....	1830,	'31
Campbell, Samuel.....	1821,	'23	Earl, Nehemiah H.....	1839,	'41
Campbell, William W.....	1845,	'47	Earl, Jonas.....	1827,	'31
Carey, Jeremiah E.....	1843,	'45	Eaton, Lewis.....	1823,	'25
Carpenter, Levi D.....	1843,	'45	Edwards, John.....	1837,	'43
Carroll, Charles H.....	1843,	'47	Effner, Valentine.....	1835,	'37
Case, Walter.....	1819,	'21	Egbert, Joseph.....	1841,	'43
Chapin, G. H.....	1835,	'37	Ellicott, Benjamin.....	1817,	'19
Chase, Samuel.....	1827,	'29	Ellis, Cheselden.....	1843,	'45
	{ 1829,	'31	Ellsworth, Samuel S.....	1845,	'47
Childs, Timothy.....	{ 1835,	'39	Elmendorf, Lucas.....	1797,	1803
	{ 1841,	'43	Ely, John.....	1839,	'41
Chittenden, Thomas C.....	1839,	'43	Emott, James.....	1809,	'13
Clark, Archibald S.....	1816,	'17	Faber, —.....	1828,	'29
Clark, Lot.....	1823,	'25	Farlin, Dudley.....	1835,	'37
Clark, Robert.....	1819,	'21	Fay, John.....	1819,	'21
Clark, Samuel.....	1833,	'35	Ferris, Charles G.....	1841,	'43
Clarke, John C.....	{ 1827,	'29	Fillmore, Millard.....	{ 1833,	'35
	{ 1837,	'43		{ 1837,	'43
Clarke, Staley N.....	1841,	'43	Finch, Isaac.....	1829,	'31
Clinton, George.....	1804,	'09	Fine, John.....	1839,	'41
Clinton, James G.....	1841,	'45	Fish, Hamilton.....	1843,	'45
Cochran, John.....	1797,	'99	Fisher, George.....	1829,	'30
Colden, Cadwallader D.....	1821,	'23	Fisk, Jonathan.....	{ 1809,	'11
Collin, John F.....	1845,	'47		{ 1813,	'15
Collins, Ela.....	1823,	'25	Fitch, Asa.....	1811,	'13
Collier, John A.....	1831,	'33	Floyd, Charles A.....	1841,	'43
Comstock, Oliver C.....	1813,	'19	Floyd, John G.....	1839,	'43
Conkling, Alfred.....	1821,	'23	Floyd, William.....	1789,	'91
Cook, Bates.....	1831,	'33	Foote, Charles A.....	1823,	'25
Cook, Thomas B.....	1811,	'13	Ford, William D.....	1819,	'21
Cooper, William.....	{ 1795,	'97	Fosdick, Nicoll.....	1825,	'27
	{ 1799,	1801	Foster, A. Lawrence.....	1841,	'43
Cowles, H. B.....	1829,	'31	Foster, Henry A.....	1837,	'39
Craig, Hector.....	{ 1823,	'25	Frost, Joel.....	1823,	'25
	{ 1829,	'30	Fuller, Philo C.....	1833,	'37
Cramer, John.....	1833,	'37	Fuller, William K.....	1833,	'37
Crocheron, Henry.....	1815,	'17	Gallup, Albert.....	1837,	'39
Crocheron, Jacob.....	1829,	'31	Gardinier, Barent.....	1807,	'11
Cruger, Daniel.....	1817,	'19	Garney, Daniel G.....	1825,	'30
Culver, Erastus D.....	1845,	'47	Garrow, Nathaniel.....	1827,	'29

	From	To		From	To
Gates, Seth M.....	1839,	'43	Hubbell, William S.....	1843,	'45
Gebhard, John.....	1821,	'23	Huguenin, Daniel.....	1825,	'27
Geddes, James.....	1813,	'15	Hungerford, Orville.....	1843,	'47
Gilbert, Ezekiel.....	1793,	'97	Hunt, Washington.....	1843,	'47
Gillett, R. H.....	1833,	'37	Humphrey, Charles.....	1825,	'27
Glen, Henry.....	1793,	1801	Humphreys, Reuben.....	1807,	'09
Goodyear, Charles.....	1845,	'47	Hunt, Hiram P.....	{ 1835,	'37
Gold, Thomas R.....	{ 1809,	'13		{ 1839,	'43
	{ 1815,	'17	Huntington, Abel.....	1833,	'37
Gordon, James.....	1791,	'95	Irving, William.....	1814,	'19
	{ 1841,	'43	Jackson, Thomas B.....	1837,	'41
Gordon, Samuel.....	{ 1845,	'47	Jenkins, Lemuel.....	1823,	'25
	{ 1835,	'37	Jenkins, Timothy.....	1845,	'47
Granger, Francis.....	{ 1839,	'43	Jewett, Freeborn G.....	1831,	'33
Grant, Abraham P.....	1837,	'39	Johnson, Charles.....	1839,	'41
Gray, Hiram.....	1837,	'39	Johnson, Jerome.....	1825,	'29
Green, Byram.....	1842,	'45	Johnson, Noadiah.....	1833,	'35
Greig, John.....	1841,	'42	Jones, Nathaniel.....	1837,	'41
Grinnell, Moses H.....	1839,	'41	Keese, Richard.....	1827,	'29
Griswold, G.....	1803,	'05	Kellogg, Charles.....	1825,	'27
Gross, Ezra C.....	1819,	'21	Kemble, Gouverneur.....	1837,	'41
Grosvenor, T. P.....	1813,	'17	Kempshall, Thomas.....	1839,	'41
Grover, Martin.....	1845,	'47	Kent, Moss.....	1813,	'17
Guyon, John.....	1820,	'21	King, John.....	1831,	'33
Hackley, A.....	1819,	'21	King, Perkins.....	1829,	'31
Hall, George.....	1819,	'21	King, Preston.....	1843,	'47
Hallock, John.....	1825,	'29	Kirkland, J.....	1821,	'23
Halsey, Jehiel H.....	1829,	'31	Kirkpatrick, W.....	1807,	'09
Halsey, Nicoll.....	1833,	'35	Kirtland, D.....	1817,	'19
Halsey, Silas.....	1805,	'07	Knickerbacker, Herman.....	1809,	'11
Hammond, Jabez D.....	1815,	'17	Lansing, G. Y.....	1831,	'37
Hand, Augustus C.....	1839,	'41	Lawrence, C. W.....	1833,	'34
Hard, Gideon.....	1833,	'37	Lawrence, John.....	1789,	'93
Harris, John.....	1807,	'09	Lawrence, Samuel.....	1823,	'25
Hasbrouck, Abraham.....	1813,	'15	Lawrence, John W.....	1845,	'47
Hasbrouck, A. B.....	1825,	'27	Lawyer, Thomas.....	1817,	'19
	{ 1803,	'05	Lay, George W.....	1833,	'37
Hasbrouck, Josiah.....	{ 1817,	'19	Lee, Gideon.....	1836,	'37
	{ 1833,	'35	Lee, Joshua.....	1835,	'37
Hathaway, S. G.....	{ 1789,	'91	Lefferts, John.....	1813,	'15
	{ 1795,	'97	Lent, James W.....	1829,	'33
	{ 1795,	'99		{ 1835,	'37
Havens, J. N.....	1821,	'23	Leonard, Stephen B.....	{ 1839,	'41
Hawkes, John.....	1821,	'23		{ 1843,	'45
Hawkins, Joseph.....	1829,	'31	Leonard, Moses G.....	1845,	'47
Hayden, M.....	1823,	'27	Lewis, Abner.....	1841,	'43
Hazeltine, Abner.....	1833,	'37	Linna, Archibald L.....	1821,	'23
	{ 1817,	'19	Litchfield, Elisha.....	1823,	'25
Herkimer, John.....	{ 1823,	'25		{ 1795,	1802
	{ 1845,	'47	Livingston, Edwd.....	1803,	'07
Herrick, Richard P.....	1827,	'29	Livingston, H. W.....	1809,	'12
Hobbie, Selah R.....	1825,	'29	Livingston, Robert L.....	1837,	'39
Hoffman, Martin.....	1829,	'33	Loomis, Arphaxad.....	1835,	'37
Hoffman, Michael.....	1837,	'41	Love, Thomas C.....	{ 1813,	'14
Hoffman, Ogden.....	1831,	'33		{ 1815,	'17
Hogan, William.....	1823,	'25	Lovett, John.....	1819,	'21
Hogeboom, J. L.....	1845,	'47	Lyman, J. S.....	1843,	'47
Holmes, Elias B.....	1813,	'15	MacLay, William B.....	1827,	'31
Hopkins, S. M.....	1797,	'99	Magee, John.....	1839,	'41
Hosmer, Hezekiah L.....	1845,	'47	Mallory, Meredith.....	1833,	'37
Hough, William J.....	1841,	'43	Mann, Abijah, jr.....	1825,	'29
Houck, Jacob, jr.....	1833,	'35	Markell, Henry.....	1813,	'15
Howell, Edward.....	1813,	'15	Markell, Jacob.....	{ 1823,	'31
Howell, N. W.....	{ 1817,	'19		{ 1833,	'35
	{ 1821,	'23	Martindale, H. C.....		
Hubbard, T. H.....					

	From	To		From	To
Marvin, Dudley.....	1823,	'29	Pitcher, Nathaniel.....	{ 1819,	'23
Marvin, Richard P.....	1837,	'41		{ 1831,	'33
Mason, William.....	1835,	'37	Platt, Jonas.....	1799,	1801
Masters, Josiah.....	1805,	'09	Pond, Benjamin.....	1811,	'13
Matthews, Vincent.....	1809,	'11	Post, Jotham.....	1813,	'15
Maxwell, Thomas.....	1829,	'31	Porter, James.....	1817,	'19
Maynard, John.....	{ 1827,	'29	Porter, P. B.....	{ 1809,	'13
	{ 1841,	'43		{ 1815,	'16
M'Carty, Richard.....	1821,	'23	Porter, Timothy H.....	1825,	'27
M'Clellan, Robert.....	{ 1837,	'39	Powers, Gershom.....	1829,	'31
	{ 1841,	'43		{ 1837,	'39
M'Cord, Andrew.....	1803,	'05	Pratt, Zadock.....	{ 1843,	'45
	{ 1835,	'37	Prentiss, John H.....	1837,	'41
M'Keon, John.....	{ 1841,	'43	Purdy, Smith M.....	1843,	'45
M'Manus, William.....	1825,	'27	Rathbun, George.....	1843,	'47
M'Vean, Charles.....	1833,	'35	Reed, Edward C.....	1831,	'33
Meigs, Henry.....	1819,	'21	Reynolds, Joseph.....	1835,	'37
Metcalf, Arunah.....	1811,	'13	Richards, John.....	1823,	'25
Miller, John.....	1825,	'27	Richmond, Jonathan.....	1819,	'21
Miller, M. S.....	1813,	'15	Riggs, Lewis.....	1841,	'43
Miller, William S.....	1845,	'47	Riker, Samuel.....	{ 1804,	'05
Mitchell, Charles F.....	1837,	'41		{ 1807,	'09
Mitchell, Henry.....	1833,	'35	Rocheater, William B.....	1821,	'23
	{ 1801,	'04	Robinson, Orville.....	1843,	'45
Mitchill, Samuel L.....	{ 1810,	'13	Rogers, Edward.....	1839,	'41
Moffet, Hosea.....	1813,	'17	Rogers, Charles.....	1843,	'45
Monroe, James.....	1839,	'41	Roosevelt, James I.....	1841,	'43
Montanya, J. L. D.....	1839,	'41		1803,	'05
Moore, Ely.....	1835,	'39		1809,	'11
Morgan, Christopher.....	1839,	'43	Root, Erastus.....	{ 1812,	'13
Morgan, John J.....	1821,	'25		{ 1815,	'17
	{ 1819,	'21		{ 1831,	'33
Morrell, Robert.....	{ 1829,	'31	Rose, Robert S.....	{ 1823,	'27
	{ 1801,	'03		{ 1829,	'31
Morris, Thomas.....	1801,	'03	Ross, Henry H.....	1825,	'27
Moseley, William A.....	1843,	'47	Ruggles, Charles H.....	1821,	'23
Mumford, Gurdon S.....	1805,	'11	Russell, David.....	1835,	'41
Murphy, Henry C.....	1843,	'45	Russell, John.....	1805,	'09
Nicholson, John.....	1809,	'11	Russell, Jeremiah.....	1843,	'45
Niven, Archibald C.....	1845,	'47	Russell, Joseph.....	1845,	'47
Noble, William H.....	1837,	'39		{ 1809,	'15
Norton, Ebenezer F.....	1829,	'31	Sage, Ebenezer.....	{ 1819,	'20
	{ 1813,	'15	Sailly, Peter.....	1804,	'07
Oakley, T. J.....	{ 1827,	'29	Sammons, Thomas.....	{ 1803,	'07
Ogden, David A.....	1817,	'19		{ 1809,	'13
Oliver, William M.....	1841,	'43	Sands, Joshua.....	{ 1803,	'04
Page, Sherman.....	1833,	'37		{ 1825,	'27
Palen, Rufus.....	1839,	'41	Sandford, Jonah.....	1830,	'31
Palmer, Beriah.....	1803,	'05	Sandford, John.....	1841,	'43
Palmer, John.....	1817,	'19	Savage, John.....	1815,	'19
Palmer, John.....	1837,	'39	Schenck, Abraham H.....	1815,	'17
Parker, Amasa J.....	1837,	'39	Schoonmaker, C. C.....	1791,	'93
Partridge, Samuel.....	1841,	'43	Schureman, Martin G.....	1805,	'07
Patterson, John.....	1803,	'05	Schuyler, J.....	1817,	'19
Patterson, Walter.....	1821,	'23	Scudder, Treadwell.....	1817,	'19
Patterson, William.....	1837,	'39	Seaman, Henry I.....	1845,	'47
Patterson, Thomas J.....	1843,	'45	Selden, Dudley.....	1833,	'35
Paulding, William.....	1811,	'13	Seymour, William.....	1835,	'37
Peck, Luther C.....	1837,	'41	Seymour, David L.....	1843,	'45
Peek, H.....	1819,	'21	Sharpe, Peter.....	1823,	'25
Pendleton, Edmund H.....	1831,	'33	Sherwood, Samuel.....	1813,	'15
Phelps, Oliver.....	1803,	'05	Shipperd, Zebulon R.....	1813,	'15
Phoenix, J. Phillips.....	1843,	'45	Sibley, Mark H.....	1837,	'39
Pierson, Jeremiah H.....	1821,	'23	Sickles, Nicholas.....	1835,	'37
Pierson, Job.....	1831,	'35			

	From	To		From	To
Silvester, Peter.....	1789,	'93	Verplanck, Gulian C.....	1825,	'33
Smith, John.....	1799,	1804	Wagner, Peter J.....	1839,	'41
Smith, William S.....	1813,	'16	Walker, Benjamin.....	1801,	'03
Smith, Albert.....	1843,	'47	Walworth, Reuben H.....	1821,	'23
Soule, Nathan.....	1831,	'33		1825,	'29
Spencer, Ambrose.....	1829,	'31	Ward, Aaron.....	1831,	'37
Spencer, Elijah.....	1821,	'23		1841,	'43
Spencer, James B.....	1837,	'39	Ward, Jonathan.....	1815,	'17
Spencer, John C.....	1817,	'19	Wardwell, Daniel.....	1831,	'37
Sterling, Micah.....	1821,	'23	Watts, John.....	1793,	'95
Stetson, Lemuel.....	1843,	'45	Wendover, Peter H.....	1815,	'21
	1817,	'21	Westerlo, Rensselaer.....	1817,	'19
Storrs, H. R.....	1823,	'31	Whallon, Reuben.....	1833,	'35
Stow, Silas.....	1811,	'13	Wheaton, Horace.....	1843,	'47
Stower, John G.....	1827,	'29	Wheeler, Grattan H.....	1831,	'33
Street, Randall S.....	1819,	'21	White, Bartow.....	1825,	'27
	1819,	'21	White, Campbell P.....	1829,	'35
Strong, James.....	1823,	'31	White, Hugh.....	1845,	'47
Strong, Theron R.....	1839,	'41	Whittemore, Elisha.....	1825,	'27
Strong, Selah B.....	1843,	'45	Whittlesey, F.....	1831,	'35
Strong, Stephen.....	1845,	'47	Wickes, Eliphalet.....	1805,	'07
Swart, Peter.....	1807,	'09	Wilkin, James W.....	1815,	'19
Talbot, Silas.....	1793,	'94	Wilkin, Samuel I.....	1831,	'33
Tallmadge, James.....	1817,	'19		1814,	'15
Taylor, J. W.....	1813,	'33	Williams, Isaac.....	1817,	'19
Taylor, William.....	1833,	'39		1823,	'25
Ten Eyck, E.....	1823,	'25	Williams, John.....	1795,	'99
Thomas, David.....	1801,	'08	Williams, Nathan.....	1805,	'07
Thompson, Joel.....	1813,	'15	Willoughby, Westel.....	1816,	'17
	1799,	1801	Wilson, N.....	1808,	'09
Thompson, John.....	1807,	'11	Winter, Elisha J.....	1813,	'15
Throop, Enos T.....	1815,	'16	Wood, Fernando.....	1841,	'43
Tibbets, George.....	1803,	'05	Wood, John J.....	1827,	'29
Titus, Obadiah.....	1837,	'39	Wood, Silas.....	1819,	'29
Tomlinson, Thomas A.....	1841,	'43	Wood, Bradford R.....	1845,	'47
Tompkins, Caleb.....	1817,	'21	Woodcock, David.....	1821,	'23
Townsend, George.....	1815,	'19		1827,	'29
Tracy, Albert H.....	1819,	'25	Woodruff, Thomas M.....	1845,	'47
Tracy, Phineas L.....	1827,	'33	Woods, William.....	1823,	'25
	1805,	'07	Woodworth, William W.....	1845,	'47
Tracy, Uri.....	1809,	'13	Wright, Silas.....	1827,	'29
Treadwell, T.....	1791,	'95	Yates, John B.....	1815,	'17
Turrell, Joel.....	1833,	'37	Young, John.....	1841,	'43
Tyler, Asher.....	1843,	'45			
Tyson, Jacob.....	1823,	'25			
Vail, Henry.....	1837,	'39			
Van Allen, James I.....	1807,	'09			
Van Allen, John E.....	1793,	'99			
Van Buren, John.....	1841,	'43			
Van Cortlandt, Philip.....	1793,	1809			
Van Cortlandt, Pierre.....	1811,	'13			
	1833,	'37			
Vanderpoel, Aaron.....	1839,	'41			
Vanderveer, Abraham.....	1837,	'39			
Van Gaasbeek, Peter.....	1793,	'95			
Van Houton, Isaac.....	1833,	'35			
Van Ness, John P.....	1801,	'03			
Van Rensselaer, H.....	1841,	'43			
Van Rensselaer, J.....	1789,	'91			
Van Rensselaer, Killian K.....	1801,	'11			
Van Rensselaer, Solomon.....	1819,	'22			
Van Rensselaer, Stephen.....	1822,	'29			
Van Wyck, William.....	1821,	'25			
Verplanck, Daniel C.....	1803,	'09			

NEW JERSEY.

Senators.

Bateman Ephraim.....	1826,	'29
Condit, John.....	1803,	'17
Davenport, Franklin.....	1798,	'99
Dayton, Jonathan.....	1799,	1805
Dayton, William L.....	1842,	'51
Dickerson, Mahlon.....	1817,	'33
Dickerson, Philemon.....	1790,	'93
Elmer, Jonathan.....	1789,	'91
Frelinghuysen F.....	1793,	'96
Frelinghuysen, Theodore.....	1829,	'35
Kitchell, Aaron.....	1805,	'09
Lambert, John.....	1809,	'15
Miller, Jacob W.....	1841,	'47
McIlvaine, James.....	1823,	'26
Ogden, Aaron.....	1801,	'03
Patterson, William.....	1789,	'90
Rutherford, John.....	1794,	'96

	From	To
Schureman, James.....	1799,	1801
Southard, Samuel L.....	{ 1821,	'23
	{ 1833,	'42
Stockton, R.....	1796,	'99
Wall, Garrett D.....	1835,	'41
Wilson, James J.....	1815,	'21

Representatives.

Aycrigg, John B.....	{ 1837,	'39
	{ 1841,	'43
Baker, Ezra.....	1815,	'17
Bateman, Ephraim.....	1815,	'23
Beatty, John.....	1793,	'95
Bennett, Benjamin.....	1815,	'19
Bines, Thomas.....	{ 1814,	'15
	{ 1819,	'20
Bloomfield, Joseph.....	1817,	'21
Boudinot, Elias.....	1789,	'95
Boyd, Adam.....	{ 1803,	'05
	{ 1808,	'13
Cadwallader, Lambert.....	{ 1789,	'91
	{ 1793,	'95
Cassady, George.....	1821,	'27
Clark, Abraham.....	1791,	'94
Condit, John.....	{ 1799,	1803
	{ 1819,	'20
Condit, Lewis.....	{ 1811,	'17
	{ 1821,	'33
Condit, Silas.....	1831,	'33
Cooper, Richard M.....	1829,	'33
Cooper, W. R.....	1839,	'41
Cox, James.....	1809,	'10
Cox, William.....	1813,	'15
Darby, Ezra.....	1806,	'08
Davenport, Franklin.....	1799,	1801
Dayton, Jonathan.....	1791,	'99
Dickerson, Philemon.....	{ 1833,	'37
	{ 1839,	'41
Edsall, Joseph.....	1845,	'47
Elmer, Ebenezer.....	1801,	'07
Elmer, Lucius Q. C.....	1843,	'45
Farlee, Isaac G.....	1843,	'35
Fowler, Samuel.....	1833,	'37
Garrison, Daniel.....	1823,	'27
Halstead, William.....	{ 1837,	'39
	{ 1841,	'43
Hampton, James G.....	1845,	'47
Helm, William.....	1801,	'11
Henderson, Thomas.....	1795,	'97
Holcombe, G. E.....	1821,	'28
Huffy, Jacob.....	1809,	'14
Hughes, Thomas H.....	1829,	'33
Imley, James H.....	1797,	1801
Kille, Joseph.....	1839,	'41
Kinsey, Charles.....	{ 1817,	'19
	{ 1820,	'21
Kirkpatrick, Littleton.....	1843,	'45
	{ 1791,	'93
Kitchell, Aaron.....	{ 1794,	'97
	{ 1799,	1801
Lambert, John.....	1805,	'09
Lee, Thomas.....	1833,	'37
Linn, James.....	1799,	1801
Linn, John.....	1817,	'21

Matlack, James.....	1821,	'25
Maxwell, George C.....	1811,	'13
Maxwell, J. P. B.....	{ 1837,	'39
	{ 1841,	'43
Morgan, James.....	1811,	'13
Mott, James.....	1801,	'05
Newbold, Thomas.....	1807,	'13
Parker, James.....	1833,	'37
Pierson, Isaac.....	1827,	'31
Randolph, James F.....	1828,	'33
Randolph, Joseph F.....	1737,	'43
Runk, John.....	1845,	'47
Ryall, D. B.....	1839,	'41
Schenck, F. S.....	1833,	'37
	{ 1789,	'91
Schureman, James.....	{ 1797,	'99
	{ 1813,	'15
Shinn, William N.....	1833,	'37
Sinnickson, Thomas.....	{ 1789,	'91
	{ 1797,	'99
Sinnickson, Thomas.....	1828,	'29
Sloan, James.....	1803,	'09
Smith, Barnard.....	1819,	'21
Smith, Isaac.....	1795,	'97
Southard, Henry.....	{ 1801,	'11
	{ 1815,	'21
Southard, Isaac.....	1831,	'33
Stockton, Richard.....	1813,	'15
Stratton, Charles C.....	{ 1837,	'39
	{ 1841,	'43
Swan, Samuel.....	1821,	'31
Sykes, George.....	1843,	'47
Thompson, Hedge.....	1827,	'28
Thompson, Mark.....	1795,	'99
Tucker, Ebenezer.....	1825,	'29
Vroom, Peter D.....	1839,	'41
Ward, Thomas.....	1813,	'17
Wright, Samuel G.....	1845,	'46
Wright, William.....	1843,	'47
	{ 1837,	'39
Yorke, Thomas Jones.....	{ 1841,	'43

PENNSYLVANIA.

Senators.

Barnard, Isaac D.....	1827,	'31
Bingham, William.....	1795,	1801
Buchanan, James.....	1835,	'45
Cameron, Simon.....	1845,	'49
Dallas, George M.....	1831,	'33
Findlay, William.....	1821,	'27
Gallatin, Albert.....	1793,	'94
Gregg, Andrew.....	1807,	'13
Lacock, Abner.....	1813,	'19
Leib, Michael.....	1808,	'14
Logan, George.....	1801,	'07
Lowrie, Walter.....	1819,	'25
Macley, Samuel.....	1803,	'08
Macley, William.....	1789,	'91
Marks, William.....	1825,	'31
M'Kean, Samuel.....	1834,	'39
Morris, Robert.....	1789,	'95
Muhlenberg, Peter.....	1801,	'01
Roberts, Jonathan.....	1814,	'21
Ross, James.....	1794,	1805

	From	To		From	To
Stargess, Daniel.....	1840,	'51	Dennison, George.....	1819,	'23
Wilkins, William.....	1831,	'34	Deany, Harmar.....	1829,	'37
<i>Representatives.—1790.</i>					
Adams, William.....	1825,	'29	Dewart, Lewis.....	1831,	'33
Allison, James.....	1823,	'25	Dickey, John.....	1843,	'45
Allison, Robert.....	1831,	'33	Dimock, Davis, jr.....	1841,	'42
Anderson, Isaac.....	1803,	'07	Edwards, John.....	1839,	'43
Anderson, Samuel.....	1827,	'29	Edwards, Samuel.....	1819,	'27
Anderson, William.....	1809,	'15	Ege, George.....	1796,	'97
	1817,	'19	Ellis, William C.....	1823,	'25
Anthony, J. B.....	1833,	'37	Erdman, Jacob.....	1845,	'47
Armstrong, James.....	1793,	'95	Evans, Joshua.....	1829,	'33
Ash, Michael W.....	1835,	'37	Ewing, John H.....	1845,	'47
Baldwin, Henry.....	1817,	'22	Farely, Patrick.....	1821,	'26
Banks, John.....	1831,	'36	Findlay, John.....	1822,	'27
Bard, David.....	1795,	'99	Findlay, William.....	1791,	'99
	1803,	'15	Findley, William.....	1803,	'17
Barlow, Thomas.....	1827,	'29	Fitzsimmons, Thomas.....	1789,	'95
Barnitz, Charles A.....	1833,	'35	Ford, James.....	1829,	'33
Beatty, William.....	1837,	'41	Fornance, Joseph.....	1839,	'43
Beaumont, Andrew.....	1833,	'37	Forrest, Thomas.....	1819,	'21
Beeson, Henry W.....	1841,	'43		1822,	'23
Biddle, Richard.....	1837,	'41	Forward, Chauncey.....	1825,	'31
Bidlack, Benjamin A.....	1841,	'45	Forward, Walter.....	1822,	'25
Binney, Horace.....	1833,	'35	Foster, Henry D.....	1843,	'47
Black, James.....	1843,	'47	Frey, Joseph.....	1827,	'31
Blanchard, John.....	1845,	'47	Fry, Jacob, jr.....	1835,	'39
Boden, Andrew.....	1817,	'21	Fuller, George.....	1843,	'45
Boude, Thomas.....	1801,	'03	Fullerton, David.....	1819,	'20
Breck, Samuel.....	1823,	'25	Galbraith, John.....	1833,	'37
Brodhead, Richard, jr.....	1843,	'47		1839,	'41
Brown, Charles.....	1841,	'43	Gallatin, Albert.....	1795,	1801
Brown, Jeremiah.....	1841,	'45	Garven, William S.....	1845,	'47
Brown, John.....	1821,	'25	Gerry, James.....	1839,	'43
Brown, Robert.....	1798,	1815	Gilmore, John.....	1829,	'33
Buchanan, Andrew.....	1835,	'39	Glasgow, Hugh.....	1813,	'17
Buchanan, James.....	1821,	'31	Green, Innis.....	1827,	'31
Bucker, John C.....	1831,	'33	Gregg, Andrew.....	1791,	1807
Buffington, Joseph.....	1843,	'47	Griffin, Isaac.....	1813,	'17
Burd, George.....	1831,	'35	Gross, Samuel.....	1819,	'23
Burnside, Thomas.....	1815,	'16	Gustine, Amos.....	1841,	'43
Campbell, John H.....	1845,	'47	Halm, John.....	1815,	'17
Chambers, George.....	1833,	'37	Hamilton, John.....	1805,	'07
Chapman, John.....	1797,	'99	Hammond, Robert H.....	1837,	'41
Clark, M. S.....	1820,	'21	Hanna, John A.....	1797,	1805
Clark, William.....	1833,	'37	Harper, James.....	1833,	'37
Clay, Joseph.....	1803,	'08	Harris, Robert.....	1823,	'27
Clymer, George.....	1789,	'91	Harrison, S. S.....	1833,	'37
Conrad, Frederick.....	1803,	'07	Hartley, Thomas.....	1789,	1800
Conrad, John.....	1813,	'15	Hays, Samuel.....	1843,	'45
Cooper, James.....	1839,	'43	Heister, Daniel.....	1789,	'96
Coulter, Richard.....	1827,	'35	Heister, Daniel.....	1809,	'11
Crawford, Thomas H.....	1829,	'33	Heister, John.....	1807,	'09
Crawford, William.....	1809,	'17	Heister, Joseph.....	1797,	1805
Crouch, Edward.....	1813,	'15		1815,	'20
Darlington, Edward.....	1833,	'39	Heister, William.....	1831,	'37
Darlington, Isaac.....	1817,	'19	Hemphill, Joseph.....	1801,	'03
Darlington, William.....	1815,	'17		1819,	'27
	1819,	'23	Henderson, Joseph.....	1829,	'31
Darragh, Cornelius.....	1843,	'47	Henderson, Samuel.....	1833,	'37
Davies, Edward.....	1837,	'41	Henderson, Samuel.....	1814,	'15
Davis, John.....	1839,	'41	Henry, Thomas.....	1837,	'43
Davis, Roger.....	1811,	'15	Hibshman, Jacob.....	1819,	'21
			Hill, Thomas.....	1824,	'26
			Hoge, John.....	1804,	'05

	From	To		From	To
Hoge, William.....	{ 1801,	'04	M'Culloch, George.....	1840,	'41
Hook, Enos.....	{ 1807,	'09	M'Cullough, Thomas G.....	1820,	'22
Hopkinson, Joseph.....	1839,	'41	M'Ilvaine, Abraham R.....	1843,	'47
Horn, Henry.....	1815,	'19	M'Kean, Samuel.....	1823,	'29
Hosteler, Jacob.....	1831,	'33	M'Kennan, Thomas M. T. . .	{ 1831,	'39
Hubley, Edward B.....	1819,	'21		{ 1842,	'43
Humphreys, Jacob.....	1835,	'39	M'Sherry, James.....	1821,	'23
Hyneman, John M.....	1819,	'20	Miller, Daniel H.....	1823,	'31
Ihrle, Peter.....	1811,	'13	Miller, Jesse.....	1833,	'37
Ingersoll, Charles J.....	1829,	'33	Milnor, James.....	1811,	'13
	{ 1813,	'15		{ 1807,	'11
	{ 1841,	'47	Milnor, William.....	{ 1815,	'17
	1835,	'37		{ 1821,	'22
Ingersoll, Joseph R.....	{ 1842,	'47	Miner, Charles.....	1825,	'29
	{ 1813,	'18	Mitchell, James S.....	1821,	'27
Ingham, Samuel D.....	{ 1822,	'29	Mitchell, John.....	1825,	'29
Irvin, James.....	1841,	'45	Montgomery, Daniel.....	1807,	'09
Irvine, William.....	1793,	'95	Montgomery, William.....	1793,	'95
Irwin, Jared.....	1813,	'17	Moore, Robert.....	1817,	'21
Irwin, Thomas.....	1829,	'31	Moore, Samuel.....	1819,	'22
Irwin, William W.....	1841,	'43	Morris, Matthias.....	1835,	'39
Jack, William.....	1841,	'43	Morris, Samuel W.....	1837,	'41
Jacobs, Israel.....	1791,	'93	Morris, Edward J.....	1843,	'45
James, Francis.....	1839,	'43	Muhlenberg, Frederick A.....	1789,	'97
Jenkins, Robert.....	1807,	'11	Muhlenberg, Henry A.....	1829,	'38
Jenks, Michael H.....	1843,	'45		{ 1789,	'91
Jones, William.....	1801,	'03	Muhlenberg, Peter.....	{ 1793,	'95
Keim, George M.....	1838,	'43		{ 1799,	1801
Kelly, James.....	1805,	'09	Murray, John.....	1817,	'21
King, Adam.....	1827,	'33	Murray, Thomas.....	1821,	'23
King, Henry.....	1831,	'35	Naylor, Charles.....	1837,	'41
Kittera, John W.....	1791,	1801	Nes, Henry.....	1843,	'45
Kittera, Thomas.....	1826,	'27	Newhard, Peter.....	1839,	'43
Klingensmith, John, jr.....	1835,	'39	Ogle, Alexander.....	1817,	'19
Krebs, Jacob.....	1826,	'27	Ogle, Charles.....	1837,	'41
Kremer, George.....	1823,	'29	Orr, Robert.....	1825,	'29
Lacock, Abner.....	1811,	'13	Paterson, Thomas.....	1817,	'25
Laporte, John.....	1833,	'37	Paulding, Levi.....	1817,	'19
	{ 1825,	'29	Paynter, Lemuel.....	1837,	'41
Lawrence, Joseph.....	{ 1841,	'43	Petriken, David.....	1837,	'41
Leet, Isaac.....	1829,	'31	Phillips, John.....	1821,	'23
Lefevre, Joseph.....	1811,	'13	Philson, Robert.....	1819,	'21
Leib, Michael.....	1799,	1806	Piper, William.....	1811,	'17
Leib, Owen D.....	1845,	'47	Plumer, Arnold.....	{ 1837,	'39
Leiper, George G.....	1829,	'31		{ 1841,	'43
Levin, Lewis C.....	1845,	'47	Plumer, George.....	1821,	'27
Logan, Henry.....	1835,	'39	Pollock, James.....	1843,	'47
Lower, Christian.....	1805,	'07	Porter, John.....	1806,	'11
Lucas, John B.....	1803,	'05	Potter, William W.....	1837,	'46
Lyle, Aaron.....	1809,	'17	Potts, David, jr.....	1831,	'39
Macclay, Samuel.....	1795,	'97	Pugh, John.....	1805,	'09
	{ 1815,	'16	Ramsay, Robert.....	{ 1833,	'35
Macclay, William.....	{ 1817,	'19		{ 1841,	'43
Macclay, William P.....	1816,	'21	Ramsay, William.....	1827,	'31
Mann, Job.....	1835,	'37	Ramsay, William S.....	1839,	'41
Mann, Joel K.....	1831,	'35	Ramsey, Alexander.....	1843,	'47
Marchand, A. G.....	1839,	'43	Rea, John.....	{ 1803,	'11
Marchand, David.....	1817,	'21		{ 1813,	'15
Markley, Philip S.....	1823,	'27	Read, Almon H.....	1842,	'43
Marr, Alem.....	1829,	'31	Reed, Charles M.....	1843,	'45
M'Clenachan, Blair.....	1797,	'99	Reily, Luther.....	1837,	'39
M'CLean, Moses.....	1845,	'47	Richards, Jacob.....	1803,	'09
M'Coy, Robert.....	1831,	'33	Richards, John.....	1795,	'97
M'Creedy, William.....	1829,	'31	Richards, Matthias.....	1807,	'11

	From	To
Ritter, John.....	1843,	'47
Roberts, Jonathan.....	1811,	'14
Rodman, William.....	1811,	'13
Rogers, Thomas I.....	1818,	'24
Ross, John.....	{ 1809,	'11
	{ 1815,	'18
Russell, James M.....	1842,	'43
Say, Benjamin.....	1808,	'09
Scott, John.....	1829,	'31
Scott, Thomas.....	{ 1789,	'91
	{ 1793,	'95
Sergeant, J.....	{ 1815,	'23
	{ 1827,	'29
Sergeant, John.....	1837,	'42
Seybert, Adam.....	{ 1809,	'15
	{ 1817,	'19
Sheffer, Daniel.....	1837,	'39
Sill, Thomas H.....	1829,	'31
Simonton, William.....	1839,	'43
Sitgreaves, Samuel.....	1795,	'98
Slaymaker, Amos.....	1814,	'15
Smilie, John.....	{ 1793,	'95
	{ 1799,	1813
Smith, George.....	1809,	'13
Smith, Isaac.....	1813,	'15
Smith, Samuel.....	1805,	'09
Smith, Samuel A.....	1829,	'33
Smith, Thomas.....	1815,	'17
Smith, John T.....	1843,	'45
Snyder, John.....	1841,	'43
Spangler, Jacob.....	1817,	'18
Stephens, Philander.....	1829,	'33
Stephenson, James S.....	1825,	'29
Sterigere, John B.....	1827,	'31
	{ 1821,	'29
	{ 1831,	'35
	{ 1843,	'47
Stewart, Andrew.....	1800,	'05
Stewart, John.....	1845,	'47
Strohm, John.....	1827,	'37
Sutherland, Joel B.....	1795,	'98
Swanwick, John.....	1813,	'15
Tannehill, Adamson.....	{ 1817,	'19
	{ 1820,	'21
Tarr, Christian.....	1795,	1801
Thomas, Richard.....	1824,	'26
Thompson, Alexander.....	1845,	'47
Thompson, James.....	1821,	'24
Tod, John.....	1837,	'43
Toland, George W.....	{ 1813,	'15
	{ 1820,	'21
	{ 1822,	'25
Udree, Daniel.....	1825,	'29
Van Horne, Espy.....	1801,	'05
Van Horne, Isaac.....	1833,	'41
Wagener, D. D.....	1815,	'21
Wallace, James M.....	1798,	1801
Waln, Robert.....	1831,	'35
Watmough, John G.....	1823,	'25
Wayne, Isaac.....	1841,	'43
Westbrook, John.....	1813,	'14
Whitehill, James.....	1803,	'07
Whitehill, John.....	1805,	'13
Whitehill, Robert.....	1815,	'19
Whiteside, John.....		

	From	To
Wilnot, David.....	1845,	'47
Wilson, Henry.....	1823,	'26
Wilson, James.....	1823,	'28
Wilson, Thomas.....	1813,	'17
Wilson, William.....	1814,	'19
Wolf, George.....	1824,	'29
Woods, Henry.....	1790,	1803
Woods, John.....	1815,	'17
Wormon, Ludwig.....	1820,	'22
Wurtz, John.....	1825,	'27
Wynkoop, Henry.....	1789,	'91
Yost, Jacob S.....	1843,	'47

DELAWARE.

Senators.

Bassett, Richard.....	1789,	'93
Bayard, James A.....	1804,	'13
Bayard, Richard H.....	{ 1836,	'39
	{ 1841,	'45
Clayton, John M.....	{ 1829,	'37
	{ 1845,	'51
Clayton, Joshua.....	1798,	'99
Clayton, Thomas.....	1823,	'26
Clayton, Thomas.....	1837,	'47
Horsey, Outerbridge.....	1810,	'21
Johns, Kensey.....	1794,	'95
Lattimer, Henry.....	1795,	1801
McLane, Louis.....	1827,	'29
Naudain, Arnold.....	1829,	'36
Read, George.....	1789,	'93
Ridgeley, Henry M.....	1826,	'29
Rodney, Cæsar A.....	1821,	'23
Rodney, Daniel.....	1826,	'27
Van Dyke, N.....	1817,	'26
Vining, John.....	1793,	'98
Willes, William H.....	{ 1799,	1804
	{ 1813,	'17
White, Samuel.....	1801,	'10

Representatives.

Bayard, James A.....	1797,	1803
Broome, James M.....	1805,	'07
Clayton, Thomas.....	1815,	'17
Cooper, Thomas.....	1813,	'17
Hall, Willard.....	1817,	'21
Houston, John W.....	1845,	'47
Johns, Kensey.....	1827,	'31
Lattimer, Henry.....	1793,	'95
McLane, Louis.....	1817,	'27
Milligan, John J.....	1831,	'39
Paton, John.....	{ 1792,	'93
	{ 1795,	'97
Ridgeley, Henry M.....	1811,	'15
Robinson, Thomas.....	1839,	'41
Rodney, Cæsar A.....	{ 1803,	'05
	{ 1821,	'22
Rodney, Daniel.....	1822,	'23
Rodney, George B.....	1841,	'45
Van Dyke, N.....	1807,	'11
Vining, John.....	1789,	'92

MARYLAND.

Senators.

Carroll, Charles.....	1789,	'92
Chambers, Ezekiel F.....	1826,	'35

	From	To		From	To
Goldsborough, Robert H.....	1813,	'19	Herbert, John C.....	1815,	'19
Goldsborough, Robert H.....	1835,	'37	Hillen, Solomon, jr.....	1839,	'41
Hanson, Alexander C.....	1816,	'19	Hindman, William.....	1792,	'99
Harper, Robert G.....	1815,	'16	Howard, Benjamin C.....	1829,	'33
Henry, John.....	1789,	'97		1835,	'39
Hindman, William.....	1800,	'01	Jenifer, Daniel.....	1831,	'33
Howard, John E.....	1796,	1803		1835,	'41
Johnson, Reverdy.....	1845,	'49	Johnson, William C.....	1833,	'36
Kent, Joseph.....	1833,	'38		1837,	'43
Kerr, John L.....	1841,	'43	Jones, Isaac D.....	1841,	'43
Lloyd, Edward.....	1819,	'26	Kennedy, John P.....	1838,	'39
Lloyd, James.....	1797,	1800		1841,	'45
Merrick, William D.....	1838,	'45	Kent, Joseph.....	1811,	'15
Pearce, James A.....	1843,	'49		1819,	'26
Pinkney, William.....	1819,	'22	Kerr, John L.....	1825,	'29
Potts, Richard.....	1792,	'96		1831,	'33
Reed, Philip.....	1806,	'13	Key, Philip.....	1791,	'93
Smith, Samuel.....	1803,	'15	Key, Philip B.....	1807,	'13
	1822,	'33	Lee, John.....	1823,	'25
Spence, John S.....	1837,	'41	Ligon, Thomas W.....	1845,	'47
Wright, Robert.....	1801,	'06	Little, Peter.....	1811,	'13
				1816,	'29
<i>Representatives.</i>					
Archer, John.....	1801,	'07	Lloyd, Edward.....	1806,	'09
Archer, S.....	1811,	'17	Long, Edward.....	1845,	'47
	1819,	'21	Magruder, Patrick.....	1805,	'07
Baer, George.....	1797,	'01	Martin, Robert N.....	1825,	'27
	1815,	'17	Mason, John T.....	1841,	'43
Barney, John.....	1825,	'29	Matthews, William.....	1797,	'99
Bayley, Thomas.....	1817,	'23	M'Creary, William.....	1803,	'09
Bowie, Walter.....	1802,	'05	M'Kim, Alexander.....	1809,	'15
Brangle, Francis.....	1843,	'45		1823,	'25
Brown, Elias.....	1829,	'31		1833,	'38
Brown, John.....	1809,	'10	Mercer, John F.....	1792,	'94
Campbell, John.....	1801,	'11		1823,	'27
Carmichael, R. B.....	1833,	'35	Mitchell, George E.....	1829,	'32
Carroll, Daniel.....	1789,	'91	Montgomery, John.....	1807,	'11
Carroll, James.....	1839,	'41		1803,	'11
Causin, John M. S.....	1843,	'45	Moore, Nicolas R.....	1813,	'16
Chapman, John G.....	1845,	'47	Neall, Raphael.....	1819,	'25
	1793,	'97	Nelson, John.....	1821,	'23
Christie, Gabriel.....	1799,	1801	Nelson, Roger.....	1804,	'10
Constable, Albert.....	1845,	'47	Nicholson, Joseph H.....	1799,	1806
Contee, Benjamin.....	1789,	'91	Pearce, James A.....	1835,	'39
Covington, Leonard.....	1805,	'07		1841,	'43
Crabb, Jeremiah.....	1795,	'96	Perry, Thomas.....	1845,	'47
Craig, William.....	1796,	1801		1816,	'19
Culbreth, Thomas.....	1817,	'21	Peter, George.....	1825,	'27
Dennis, John.....	1797,	1805	Pinkney, William.....	1791,	'92
Dennis, John.....	1837,	'41	Pinkney, William.....	1815,	'16
Dennis, L. P.....	1833,	'35	Plater, Thomas.....	1801,	'05
Dent, George.....	1793,	1801	Preston, Jacob A.....	1843,	'45
Dorsey, Clement.....	1825,	'31	Randall, Alexander.....	1841,	'43
Duvall, Gabriel.....	1794,	'96		1817,	'19
Edwards, Benjamin.....	1794,	'95	Reed, Philip.....	1821,	'23
Forrest, Uriuh.....	1793,	'94		1810,	'15
Gale, George.....	1789,	'91	Ringgold, Samuel.....	1817,	'21
Gale, Levin.....	1827,	'29	Semmes, Benedict J.....	1829,	'33
Giles, William F.....	1845,	'47	Seney, Joshua.....	1789,	'92
Goldsborough, C. W.....	1805,	'17	Sheredine, Upton.....	1791,	'92
Hanson, Alexander C.....	1813,	'16		1793,	1803
Hayward, William.....	1823,	'25	Smith, Samuel.....	1816,	'22
Heath, James P.....	1833,	'35	Smith, William.....	1789,	'91
Heister, Daniel.....	1801,	'04	Sollers, Augustus R.....	1841,	'43
			Spence, Thomas A.....	1843,	'45

	From	To		From	To
			<i>Representatives.</i>		
Spence, John S.....	{ 1823,	'25	Alexander, Mark.....	1819,	'33
Spencer, Richard.....	{ 1831,	'33	Allen, John J.....	1833,	'35
Sprigg, Michael C.....	1829,	'31	Allen, Robert.....	1827,	'33
Sprigg, Richard.....	{ 1827,	'31	Archer, William S.....	1820,	'35
	{ 1796,	'99	Armstrong, William.....	1825,	'33
	{ 1801,	'02	Atkinson, Archibald.....	1843,	'47
Sprigg, Thomas.....	1793,	'96	Austin Archibald.....	1817,	'19
Steele, John N.....	1835,	'37	Baker, John.....	1811,	'15
Sterrett, Samuel.....	1791,	'93	Ball, William L.....	1817,	'24
Stoddard, J. T.....	1833,	'35	Banks, Linn.....	1838,	'42
Stone, Michael.....	1789,	'91	Barbour, John S.....	1823,	'33
Strudwick, William E.....	1796,	'97	Barbour, Philip P.....	{ 1814,	'25
Stuart, Philip.....	1811,	'19		{ 1827,	'30
Thomas, Francis.....	1831,	'41	Barton, Richard W.....	1841,	'43
Thomas, John C.....	1799,	1801		{ 1805,	'13
Thomas, Philip F.....	1839,	'41		{ 1815,	'19
Turner, James.....	1833,	'37		{ 1821,	'31
Van Horne, Archibald.....	1807,	'11	Bassett, Burwell.....		
Vans, William Murray.....	1791,	'97	Bayley, Thomas M.....	1813,	'15
Warfield, Henry R.....	1819,	'25	Bayly, Thomas H.....	1843,	'47
Washington, George C....	{ 1827,	'33	Beale, James M. H.....	1833,	'37
	{ 1835,	'37	Bedinger, Henry.....	1845,	'47
Weems, John C.....	1826,	'29	Beirne, Andrew.....	1837,	'41
Wethered, John.....	1843,	'45	Bland, Theodore.....	1789,	'90
Williams, James W.....	1841,	'43	Botts, John M.....	1839,	'43
Wilson, E. K.....	1827,	'31	Bouldin, James W.....	1833,	'39
Worthington, J. T. H.....	{ 1831,	'33	Bouldin, Thomas T.....	1829,	'33
	{ 1837,	'41	Breckenridge, James.....	1809,	'17
Worthington, Thomas C.....	1825,	'27	Brent, Richard.....	{ 1795,	'99
Wright, Robert.....	{ 1810,	'17		{ 1801,	'03
	{ 1821,	'23	Browne, John.....	1789,	'92
			Brown, William G.....	1845,	'47
			Burwell, William A.....	1806,	'21
			Cabell, Samuel J.....	1795,	1803
			Caperton, Hugh.....	1813,	'15
			Carey, George B.....	1841,	'43
			Chinn, Joseph W.....	1831,	'35
			Chapman, Augustus A.....	1813,	'47
			Chilton, Samuel.....	1843,	'45
			Chinn, Joseph W.....	1831,	'35
			Claiborne, John.....	1805,	'08
			Claiborne, Nathaniel H.....	1825,	'37
			Claiborne, Thomas.....	{ 1793,	'99
				{ 1801,	'05
			Clark, Christopher.....	1804,	'06
			Clay, Matthew.....	1797,	1813
			Clopton, John.....	{ 1795,	'99
				{ 1801,	'16
			Coke, Richard.....	1829,	'33
			Coles, Isaac.....	{ 1789,	'91
				{ 1793,	'97
			Coles, Walter.....	1835,	'45
			Colston, Edward.....	1817,	'19
			Craig, Robert.....	{ 1829,	'33
				{ 1835,	'41
			Crump, John.....	1826,	'27
			Davenport, Thomas.....	1825,	'35
			Dawson, John.....	1797,	1814
			Doddridge, Philip.....	1829,	'32
			Draper, Joseph.....	{ 1830,	'31
				{ 1832,	'33
			Dromgoole, George C.....	{ 1835,	'41
				{ 1843,	'47

VIRGINIA.

Senators.

Archer, William S.....	1841,	'47
Barbour, James.....	1815,	'25
Brent, Richard.....	1809,	'15
Eppes, John W.....	1817,	'19
Giles, William B.....	1804,	'15
Grayson, William.....	1789,	'90
Lee, Richard H.....	1789,	'92
Leigh, Benjamin W.....	1834,	'37
Mason, Armisted C.....	1815,	'17
Mason, Stevens T.....	1794,	1803
Monroe, James.....	1790,	'94
Moore, Andrew.....	1804,	'09
Nicholas, Wilson C.....	1799,	1804
Pennybacker, Isaac S.....	1845,	'51
Pleasants, James.....	1819,	'22
Randolph, John.....	1825,	'27
	{ 1832,	'34
Rives, William C.....	{ 1836,	'39
	{ 1841,	'45
Roane, William H.....	1837,	'41
	{ 1792,	'94
Taylor, John.....	{ 1803,	'03
	{ 1822,	'24
Tazewell, Henry.....	1794,	'99
Tazewell, Littleton W.....	1824,	'32
Tyler, John.....	1827,	'36
Venable, Abraham B.....	1803,	'04
Walker, John.....	1790,	'90

	From	To		From	To
Eggleston, John.....	1798,	1801	Lucas, William.....	{ 1839,	'41
Eppea, John W.....	{ 1803,	'11		{ 1843,	'45
	{ 1813,	'15	Machir, James.....	1797,	'99
Estill, Benjamin.....	1825,	'27	Madison, James.....	1789,	'97
Evans, Thomas.....	1797,	1801	Mallory, Francis.....	{ 1837,	'39
Floyd, John.....	1817,	'29		{ 1841,	'43
Fulton, John H.....	1833,	'35	Marshall, John.....	1799,	1800
Garland, David S.....	1809,	'11	Mason, James M.....	1837,	'39
Garland, James.....	1835,	'41	Mason, John Y.....	1831,	'37
Garnett, James M.....	1805,	'09	Maxwell, Lewis.....	1827,	'33
Garnett, Robert S.....	1817,	'27	M'Carty, William M.....	1840,	'41
Gholson, J. H.....	1833,	'35	M'Comas, William.....	1833,	'37
Gholson, Thomas.....	1808,	'16	M'Coy, William.....	1811,	'33
Giles, William B.....	{ 1790,	'98	M'Kinley, William.....	1810,	'11
	{ 1801,	'02	Mercer, Charles F.....	1817,	'40
Gilmer, Thomas W.....	1841,	'43		{ 1789,	'97
Goggin, William L.....	1839,	'45	Moore, Andrew.....	{ 1803,	'04
Goode, Samuel.....	1799,	1801	Moore, S. M'D.....	1833,	'35
Goode, W. O.....	1841,	'43	Moore, Thomas L.....	1820,	'23
Goodwin, Peterson.....	1803,	'18	Morgan, Daniel.....	1797,	'99
Gordon, William F.....	1829,	'35	Morgan, William S.....	1835,	'39
Gray, Edwin.....	1799,	1813	Morrow, John.....	1805,	'09
Gray, John C.....	1820,	'21	Nelson, Hugh.....	1811,	'23
Griffin, Samuel.....	1789,	'95	Nelson, Thomas M.....	1816,	'19
Griffin, Thomas.....	1803,	'05	Nevel, Joseph.....	1793,	'95
Hancock, George.....	1793,	'97	New, Anthony.....	1793,	1805
Harris, William A.....	1841,	'43	Newton, Thomas.....	{ 1801,	'29
Harrison, Carter B.....	1793,	'99		{ 1831,	'33
Hawes, Aylett.....	1811,	'17	Newton, Willoughby.....	1843,	'45
Hayes, Samuel.....	1841,	'43	Nicholas, Wilson C.....	1807,	'09
Heath, John.....	1793,	'97	Nicholas, John.....	1793,	1801
Hill, John.....	1839,	'41	Page, John.....	1789,	'97
Holleman, Joel.....	1839,	'41	Page, Robert.....	1799,	1801
Holmes, David.....	1797,	1809	Parker, Josiah.....	1789,	1801
Hopkins, George W.....	1835,	'47	Parker, Severn E.....	1819,	'21
Hubard, Edmund W.....	1841,	'47	Patton, John M.....	1830,	'38
Hungerford, John P.....	1813,	'17	Pegram, John.....	1818,	'19
	{ 1837,	'43	Pendleton, John S.....	1845,	'47
Hunter, R. M. T.....	{ 1843,	'47	Pennybacker, Isaac S.....	1837,	'39
Jackson, Edward B.....	1820,	'23	Pindall, James.....	1817,	'20
	{ 1795,	'97	Pleasants, James.....	1811,	'19
Jackson, John George.....	{ 1799,	1810	Powell, Alfred H.....	1825,	'27
	{ 1813,	'17	Powell, Cuthbert.....	1841,	'43
Johnson, James.....	1813,	'20	Powell, Levin.....	1799,	1801
	{ 1823,	'27	Preston, Francis.....	1793,	'97
Johnson, Joseph.....	{ 1835,	'41		{ 1799,	1813
	{ 1845,	'47	Randolph, John.....	{ 1815,	'17
Johnson, Charles C.....	1831,	'32		{ 1819,	'25
Jones, James.....	1819,	'23		{ 1827,	'29
Jones, John W.....	1835,	'45	Randolph, Thomas M.....	1803,	'07
	{ 1797,	'99	Rives, Francis E.....	1837,	'41
Jones, Walter.....	{ 1803,	'11	Rives, William C.....	1823,	'29
Kerr, John.....	1813,	'17		{ 1827,	'31
Leake, Shelton F.....	1845,	'47	Roane, John.....	{ 1835,	'37
Lee, Henry.....	1799,	1801	Roane, John J.....	1831,	'33
Lee, Richard Bland.....	1789,	'95	Roane, John T.....	1809,	'15
Leffler, Isaac.....	1827,	'29	Roane, William H.....	1815,	'17
Leftwich, Jabez.....	1821,	'25	Robertson, John.....	1834,	'39
Lewis, Joseph.....	1803,	'17	Rutherford, Robert.....	1793,	'97
Lewis, William J.....	1817,	'19	Samuel, Green B.....	1839,	'41
Love, John.....	1807,	'11	Seddon, James A.....	1845,	'47
Loyall, George.....	1831,	'37	Sheffey, Daniel.....	1809,	'17
Lucas, Edward.....	1833,	'37	Smith, Arthur.....	1821,	'25

	From	To		From	To
Smith, Ballard.....	1815,	'21	Stone, David.....	{ 1801,	'07
Smith, John.....	1801,	'15		{ 1813,	'14
Smith, William.....	1821,	'27	Strange, Robert.....	1837,	'41
Smith, William.....	1842,	'43	Turner, James.....	1805,	'16
Smyth, Alexander.....	{ 1817,	'25			
	{ 1827,	'30			
Steenrod, Lewis.....	1839,	'45			
	{ 1803,	'05	Alexander, Evan.....	1805,	'09
Stephenson, James.....	{ 1809,	'11	Alexander, N.....	1803,	'05
	{ 1822,	'25	Alston, Willis.....	1799,	1803
Stevenson, Andrew.....	1821,	'34		{ 1803,	'15
Stratton, John.....	1801,	'03	Alston, Willis, jr.....	{ 1825,	'31
Strother, George F.....	1817,	'20	Arrington, A. H.....	1841,	'45
Stuart, Archibald.....	1837,	'39	Ashe, John B.....	1790,	'93
Stuart, A. H. H.....	1841,	'43	Barringer, Daniel L.....	1826,	'35
Summers, George W.....	1841,	'45	Barringer, Daniel M.....	1843,	'47
Swearingen, Thomas V.....	1819,	'22	Bethune, Lauchlin.....	1831,	'33
Swoope, Jacob.....	1809,	'11		{ 1803,	'09
	{ 1801,	'03	Blackledge, William S.....	{ 1811,	'13
Taliaferro, John.....	{ 1811,	'13		{ 1821,	'23
	{ 1824,	'31	Bloodworth, Timothy.....	1790,	'91
Taliaferro, John.....	{ 1835,	'43		{ 1793,	'99
Tate, Magnus.....	1815,	'17	Blount, Thomas.....	{ 1805,	'09
Taylor, Robert.....	1825,	'27		{ 1811,	'12
Taylor, William P.....	1833,	'35	Branch, John.....	1831,	'33
Taylor, William.....	1843,	'47	Biggs, Asa.....	1845,	'47
Tazewell, Littleton W.....	1800,	'01	Bryan, Nathan.....	1795,	'98
Thompson, Philip R.....	1801,	'07	Bryan, John H.....	1825,	'27
Treadway, William M.....	1845,	'47	Bryan, Joseph H.....	1815,	'19
Trezvant, James.....	1825,	'31	Burgess, Dempsey.....	1795,	'98
Trigg, Abram.....	1797,	1809	Burton, Hutchins G.....	1819,	'24
Trigg, John.....	1797,	1804	Bynum, J. A.....	1833,	'41
Tucker, H. St. George.....	1815,	'19	Caldwell, Green W.....	1841,	'43
Tucker, George.....	1819,	'25	Carson, Samuel P.....	1825,	'33
Tyler, John.....	1816,	'21	Clark, James W.....	1815,	'17
Venable, A. B.....	1791,	'99	Clarke, Henry S.....	1845,	'47
Walker, Francis.....	1793,	'95	Clingman, Thomas L.....	1843,	'45
White, Alexander.....	1789,	'93	Cockran, James.....	1809,	'13
White, Francis.....	1813,	'15	Conner, H. W.....	1821,	'41
Williams, Jared.....	1819,	'25	Crudup, Josiah.....	1821,	'23
Wilson, Alexander.....	1804,	'09		{ 1807,	'09
Wilson, E. C.....	1833,	'35		{ 1813,	'17
Wilson, Thomas.....	1811,	'13	Culpeper, John.....	{ 1819,	'21
Wise, Henry A.....	1833,	'43		{ 1823,	'25
				{ 1841,	'43

NORTH CAROLINA.

Senators.

Bloodworth, Timothy.....	1795,	1801	Daniel, John R. J.....	1841,	'47
Branch, John.....	1823,	'29	Davidson, William.....	1818,	'21
Brown, Bedford.....	1829,	'41	Dawson, William J.....	1793,	'95
	{ 1799,	1805		{ 1829,	'31
Franklin, Jesse.....	{ 1807,	'13	Debery, Edmund.....	{ 1833,	'45
Graham, William A.....	1841,	'43	Dickens, Samuel.....	1816,	'17
Hawkins, Benjamin.....	1789,	'95	Dixon, Joseph.....	1799,	1801
Haywood, William H.....	1843,	'49	Dobbin, James C.....	1845,	'47
Iredell, James.....	1828,	'31	Dockery, Alfred.....	1845,	'47
Johnston, Samuel.....	1789,	'93	Dudley, Edward B.....	1829,	'31
Locke, Francis.....	1814,	'15	Edwards, Weldon N.....	1816,	'27
Macon, Nathaniel.....	1815,	'28		{ 1819,	'21
	{ 1131,	'37	Fisher, Charles.....	{ 1839,	'41
Mangum, Willie P.....	{ 1841,	'47	Forney, Daniel M.....	1815,	'18
Martin, Alexander.....	1793,	'99	Forney, Peter.....	1813,	'15
Stokes, Montfort.....	1816,	'23	Franklin, Jesse.....	1795,	'97
			Franklin, Meshack.....	1807,	'15
			Gaston, William.....	1813,	'17
			Gatlin, Alfred M.....	1823,	'25

	From	To		From	To
Gillispie, James.....	{ 1793,	'99	Slocum, Jesse.....	1817,	'21
	{ 1803,	'05	Smith, James S.....	1817,	'21
Graham, James.....	{ 1833,	'43	Speight, Jesse.....	1829,	'37
	{ 1845,	'47	Speight, Richard D.....	1798,	1801
Grove, William B.....	1791,	1803	Speight, Richard D.....	1823,	'25
Hall, Thomas H.....	{ 1817,	'25	Stanford, Richard.....	1797,	1816
	{ 1827,	'35	Stanley, Edward.....	1837,	'43
Hawkins, M. T.....	1831,	'41	Stanley, John.....	{ 1801,	'03
Henderson, Archibald.....	1799,	1803		{ 1809,	'11
Hill, John.....	1839,	'41	Steele, John.....	1790,	'93
Hill, William H.....	1799,	1803	Stewart, James.....	1818,	'19
Hines, Richard.....	1825,	'27	Stone, David.....	1799,	1801
	{ 1795,	'97	Tatum, Absalom.....	1795,	'96
Holland, James.....	{ 1801,	'11	Turner, Daniel.....	1827,	'29
Holmes, Gabriel.....	1825,	'29	Vance, Robert B.....	1823,	'25
	{ 1816,	'17	Walker, Felix.....	1817,	'23
Hooks, Charles.....	{ 1819,	'25	Washington, W. H.....	1841,	'43
Johnston, Charles.....	1801,	'02	Williams, Benjamin.....	1793,	'95
Kenan, Thomas.....	1805,	'11	Williams, Lewis.....	1815,	'42
	{ 1803,	'05	Williams, Marmaduke.....	1803,	'09
Kennedy, William.....	{ 1809,	'11	Williams, Robert.....	1797,	1803
	{ 1812,	'15	Williamson, Hugh.....	1790,	'93
King, William R.....	1811,	'16	Winston, Joseph.....	{ 1793,	'95
Locke, Matthew.....	1793,	'99		{ 1803,	'07
Long, John.....	1821,	'29	Wynn, Thomas.....	1802,	'07
Love, William C.....	1815,	'17	Yancey, Bartlett.....	1813,	'17
Macon, Nathaniel.....	1791,	1815			
Mangum, Willie P.....	1823,	'26			
M'Bride, Archibald.....	1809,	'13			
	{ 1793,	'95			
M'Dowell, Joseph.....	{ 1797,	'99			
M'Farland, Duncan.....	1805,	'07			
M'Kay, James J.....	1831,	'47			
M'Neill, Archibald.....	{ 1821,	'23			
	{ 1825,	'27			
Mebane, Alexander.....	1793,	'94			
Mitchell, Anderson.....	1842,	'43			
Montgomery, William.....	1835,	'41			
Mumford, George.....	1817,	'19			
Murfree, William H.....	1813,	'17			
Outlaw, George B.....	1824,	'25			
Owen, James.....	1817,	'19			
Pettigrew, E.....	1835,	'37			
Pierson, Joseph.....	1809,	'15			
Pickens, Israel.....	1811,	'17			
Potter, Robert.....	1829,	'31			
Purviance, Samuel D.....	1803,	'05			
Rayner, Kenneth.....	1839,	'45			
Reid, David S.....	1843,	'47			
	{ 1829,	'39			
Rencher, Abraham.....	{ 1841,	'43			
	{ 1821,	'27			
Saunders, Romulus M.....	{ 1841,	'45			
	{ 1807,	'13			
Sawyer, Lemuel.....	{ 1817,	'23			
	{ 1825,	'29			
Sawyer, S. T.....	1837,	'39			
Settle, Thomas.....	1817,	'21			
Sevier, John.....	1790,	'91			
Shadwick, William.....	1796,	'97			
Shepard, Charles.....	1837,	'41			
Shepard, William B.....	1827,	'37			
	{ 1829,	'39			
Shepperd, Augustus H.....	{ 1841,	'43			

SOUTH CAROLINA.

Senators.

Butler, Pierce.....	{ 1789,	'96
	{ 1802,	'04
Calhoun, J. E.....	1801,	'02
	{ 1832,	'42
Calhoun, John C.....	{ 1845,	'47
Gaillard, John.....	1804,	'26
Harper, William.....	1826,	'26
Hayne, Robert Y.....	1823,	'32
Huger, Daniel E.....	1842,	'45
Hunter, John.....	1796,	'98
Izard, Ralph.....	1789,	'95
M'Duffie, George.....	1843,	'49
Miller, Stephen D.....	1831,	'34
Pinckney, Charles.....	1798,	1801
Preston, William C.....	1834,	'42
Read, Jacob.....	1795,	1802
	{ 1816,	'23
Smith, William.....	{ 1826,	'31
Sumter, Thomas.....	1802,	'10
Taylor, John.....	1801,	'16

Representatives.

Alston, Lemuel J.....	1807,	'11
Barnwell, Robert.....	1791,	'93
Barnwell, R. W.....	1829,	'33
Bellinger, Joseph.....	1817,	'19
Benton, Lemuel.....	1793,	'98
Black, James A.....	1843,	'47
	{ 1821,	'22
Blair, James.....	{ 1829,	'34
Brevard, James.....	1819,	'21
Burke, Edamus.....	1789,	'91
Burt, Artemas.....	1843,	'47
Butler, Samson H.....	1840,	'43

	From	To		From	To
Butler, William.....	1801,	'13	Overstreet, James.....	1819,	'22
Butler, William.....	1841,	'43	Pickens, Andrew.....	1793,	'95
Caldwell, P. C.....	1841,	'43	Pickens, Francis W.....	1835,	'43
Calhoun, John C.....	1811,	'17	Pinckney, Charles.....	1819,	'21
Calhoun, Joseph.....	1807,	'11	Pinckney, H. L.....	1833,	'37
Campbell, John.....	{ 1829,	'31	Pinckney, Thomas.....	1797,	1801
	{ 1837,	'45	Poinsett, Joel R.....	1821,	'25
Campbell, R. B.....	{ 1823,	'25	Rhett, Robert B.....	1838,	'47
	{ 1835,	'37	Richardson, John P.....	1837,	'40
Campbell, Thomas F.....	1834,	'35	Rogers, James.....	{ 1835,	'37
Carter, John.....	1822,	'29		{ 1839,	'43
Casey, Levi.....	1803,	'07	Rutledge, John.....	1797,	1803
Chappell, John J.....	1813,	'17	Simpkins, Eldrid.....	1818,	'21
Cheves, Langdon.....	1810,	'15	Simpson, Richard F.....	1843,	'47
Clowney, W. K.....	{ 1833,	'35	Sims, A. D.....	1845,	'47
	{ 1837,	'39	Smith, O'Bryan.....	1805,	'07
Davis, W. R.....	1827,	'35	Smith, William.....	1789,	'97
Drayton, William.....	1825,	'33	Smith, William.....	1797,	'99
	{ 1805,	'07	Sumter, Thomas.....	{ 1789,	'93
Earle, Elias.....	{ 1811,	'15		{ 1797,	1802
	{ 1817,	'21	Sumter, Thomas D.....	1840,	'43
Earle, John B.....	1803,	'05	Taylor, John.....	1807,	'10
Earle, Samuel.....	1795,	'97	Taylor, John.....	1815,	'17
Elmore, F. H.....	1837,	'39	Thompson, Waddy.....	1835,	'41
Evans, David R.....	1813,	'15	Tucker, Starling.....	1817,	'31
Felder, John M.....	1831,	'35	Tucker, Thomas T.....	1789,	'93
Farrow, Samuel.....	1813,	'15	Williams, David R.....	{ 1805,	'09
Gillon, Alexander.....	1793,	'94		{ 1811,	'13
Gist, Joseph.....	1821,	'27	Wilson, John.....	1821,	'27
Gourdin, Theodore.....	1813,	'15	Witherspoon, Robert.....	1809,	'11
Govan, A. R.....	1822,	'27	Woodward, William.....	1815,	'17
Grayson, William J.....	1833,	'37	Woodward, Joseph A.....	1843,	'47
Griffin, J. K.....	1831,	'41		{ 1793,	'97
Hamilton, James.....	1822,	'29	Wynn, Richard.....	{ 1802,	'13
Hammond, James H.....	1835,	'37			
	{ 1795,	'97			
Hampton, Wade.....	{ 1803,	'05			
Harper, R. G.....	1794,	1801			
Holmes, Isaac E.....	1839,	'47			
Huger, Benjamin.....	{ 1799,	1805			
	{ 1815,	'17			
Huger, Daniel.....	1789,	'93			
Hunter, John.....	1793,	'95			
Irwin, James.....	1817,	'21			
Kershaw, John.....	1813,	'15			
Legaré, Hugh S.....	1837,	'39			
Lowndes, Thomas.....	1801,	'05			
Lowndes, William.....	1811,	'22			
Manning, R. J.....	1834,	'36			
Marion, Robert.....	1805,	'10			
Martin, William D.....	1827,	'33			
Mayrant, William.....	1815,	'16			
M'Duffie, George.....	1821,	'35			
M'Ready, James.....	1819,	'21			
Middleton, Henry.....	1815,	'19			
Miller, S. D.....	1817,	'19			
	{ 1821,	'23			
	{ 1825,	'29			
Mitchell, T. R.....	{ 1831,	'33			
	{ 1801,	'13			
	{ 1815,	'17			
Moore, Thomas.....	1817,	'19			
Nesbitt, Wilson.....	1799,	1801			
Nott, Abraham.....	1827,	'33			
Nuckolls, William C.....	1827,	'33			

GEORGIA.

Senators.

Baldwin, A.....	1799,	1807
Berrien, J. M.....	{ 1825,	'29
	{ 1841,	'47
Bibb, William W.....	1813,	'16
Bullock, William B.....	1813,	'13
Cobb, Thomas W.....	1824,	'28
Colquitt, Walter T.....	1843,	'49
Crawford, William H.....	1807,	'13
Cuthbert, Alfred.....	1835,	'43
Elliot, John.....	1819,	'25
Few, William.....	1789,	'93
	{ 1818,	'19
Forsyth, John.....	{ 1829,	'34
	{ 1789,	'90
Gunn, James.....	{ 1791,	1801
	{ 1793,	'95
Jackson, James.....	{ 1801,	'06
	{ 1807,	'07
Jones, George.....	1834,	'38
King, John P.....	1838,	'41
Lumpkin, Wilson.....	1806,	'09
Milledge, John.....	1828,	'29
Prince, Oliver H.....	1809,	'19
Tait, Charles.....	1796,	'99
Tatnall, Josiah.....	{ 1816,	'18
Troup, G. M.....	{ 1829,	'34

	From	To		From	To
Walker, Freeman.....	1819,	'21	Lumpkin, Wilson.....	{ 1815,	'17
Walker, John.....	1790,	'91		{ 1827,	'31
Walton, George.....	1795,	'96	Lumpkin, Joseph H.....	1843,	'47
Ware, Nicholas.....	1821,	'24	Matthews, George.....	1789,	'91
<i>Representatives.</i>					
Abbott, Joel.....	1817,	'25	Meriwether, Daniel.....	1802,	'07
Alvord, Julius C.....	1839,	'42	Meriwether, James.....	1825,	'27
Baldwin, A.....	1789,	'99	Meriwether, J. A.....	1841,	'43
Barnett, William.....	1812,	'15		{ 1792,	'93
Bibb, Wm. W.....	1806,	'14	Milledge, John.....	{ 1795,	'99
				{ 1801,	'02
Black, Edward J.....	{ 1839,	'41	Newman, Daniel.....	1831,	'33
	{ 1842,	'45	Nisbet, E. A.....	1839,	'42
Bryan, Joseph.....	1803,	'06	Owens, George W.....	1835,	'39
Carnes, Thomas P.....	1793,	'95	Reid, Robert R.....	1818,	'23
Cary, George.....	1823,	'27	Schley, William.....	1833,	'35
Clayton, Augustine S.....	1831,	'35	Smelt, Dennis.....	1806,	'11
Cleaveland, J. F.....	1836,	'39	Spalding, Thomas.....	1805,	'06
Clinch, Duncan L.....	1843,	'45	Stephens, Alex. H.....	1843,	'47
Chappell, Absalom H.....	1843,	'45	Stiles, William H.....	1843,	'45
Cobb, Howel, senior.....	1807,	'12	Taliaferro, Benjamin.....	1799,	1802
Cobb, Howel.....	1843,	'47	Tatnall, Edward F.....	1821,	'27
			Telfair, Thomas.....	1813,	'17
Cobb, Thomas W.....	{ 1817,	'21	Terrill, William.....	1817,	'21
	{ 1823,	'24	Thompson, Wiley.....	1821,	'33
Coffee, John.....	1833,	'37	Toombs, Robert.....	1845,	'47
Colquitt, Walter T.....	{ 1839,	'41	Towns, George W. B.....	{ 1835,	'39
	{ 1842,	'43		{ 1845,	'47
Cook, Zadock.....	1817,	'19	Troup, George M.....	1807,	'15
Cooper, Mark A.....	{ 1839,	'41	Warren, Lott.....	1839,	'43
	{ 1842,	'43	Wayne, Anthony.....	1791,	'92
Crawford, Joel.....	1817,	'21	Wayne, James M.....	1829,	'35
Cuthbert, A.....	{ 1814,	'17	Willis, Francis.....	1791,	'93
	{ 1821,	'27		{ 1815,	'17
Cuthbert, John A.....	1819,	'21	Wilde, Richard Henry.....	{ 1824,	'25
Dawson, W. C.....	1837,	'42		{ 1827,	'35
Early, Peter.....	1802,	'07	<i>ALABAMA.—1819.</i>		
Floyd, John.....	1827,	'29	<i>Senators.</i>		
	{ 1813,	'18	Bagby, Arthur P.....	1842,	'49
Forsyth, John.....	{ 1823,	'27	Chambers, Henry.....	1825,	'26
	1827,	'29	Clay, Clement C.....	1827,	'42
Fort, Tomlinson.....	1829,	'35	Kelly, William.....	1822,	'25
Foster, Thomas S.....	1841,	'43	King, William R.....	1819,	'44
Foster, Thomas F.....	{ 1833,	'35	Lewis, Dixon H.....	1844,	'47
	{ 1841,	'43	M'Kinley, John.....	1826,	'31
	{ 1821,	'23	Moore, Gabriel.....	1831,	'37
Gamble, Roger L.....	1827,	'29	Walker, John W.....	1819,	'22
Gilmer, George R.....	{ 1833,	'35	<i>Representatives.</i>		
	1836,	'39	Baylor, R. E. B.....	1829,	'31
Glascock, Thomas.....	1835,	'39	Belser, James E.....	1843,	'45
Grantland, Seaton.....	1839,	'43	Chapman, Deuben.....	1835,	'47
Habersham, R. W.....	1811,	'17	Clay, Clement C.....	1827,	'35
Hall, Bolling.....	1803,	'05	Crabb, George W.....	1839,	'41
Hammond, Samuel.....	1843,	'47	Crowell, John.....	1817,	'21
Haralson, Hugh A.....	{ 1825,	'31	Dargin, Samuel D.....	1845,	'47
	{ 1835,	'39		{ 1839,	'41
Haynes, Charles E.....	1836,	'39	Dellet, James.....	{ 1843,	'45
Holsey, Hopkins.....	1836,	'39	Hilliard, Henry W.....	1843,	'47
Jackson, Jabez.....	1836,	'39	Houston, George S.....	1841,	'47
Jackson, James.....	1789,	'91	Hubbard, David.....	1839,	'41
Jones, James.....	1799,	1801	Kelly, William.....	1821,	'22
	{ 1833,	'35	Lawler, Joab.....	1835,	'38
	{ 1845,	'47	Lewis, Dixon H.....	1829,	'44
Jones, Seaborn.....	{ 1839,	'43			
	{ 1845,	'47			
King, Thomas Butler.....	1829,	'33			
Lamar, Henry G.....	1829,	'33			

	From	To
Lyon, Francis S.....	1835,	'39
Mardis, Samuel W.....	1831,	'35
Martin, Joshua L.....	1835,	'39
McConnell, Felix G.....	1843,	'47
McKee, John.....	1823,	'29
McKinley, John.....	1833,	'35
Moore, Gabriel.....	1822,	'29
Murphy, John.....	1833,	'35
Owen, George W.....	1823,	'29
Payne, Winter W.....	1841,	'47
Shields, Benjamin G.....	1841,	'43
Yancey, William L.....	1844,	'47

MISSISSIPPI.—1817.

Senators.

Adams, George.....	1829,	'30
Black, John.....	1834,	'38
Chalmers, Joseph W.....	1845,	'47
Ellis, Powhatan.....	{ 1825,	'26
	{ 1827,	'33
Henderson, John.....	1839,	'45
Holmes, David.....	1820,	'25
Leake, Walter.....	1817,	'20
Poindexter, George.....	1831,	'35
Read, Thomas B.....	{ 1826,	'27
	{ 1829,	'29
Speight, Jesse.....	1845,	'54
Trotter, James.....	1838,	'39
Walker, Robert J.....	1836,	'45
Williams, Thomas H.....	1817,	'31

Representatives.

Adams, Stephen.....	1845,	'47
Brown, Albert G.....	1839,	'41
Cage, Henry.....	1833,	'35
Claiborne, J. F. H.....	1835,	'38
Davis, Jefferson.....	1846,	'47
Dickson, David.....	1835,	'37
Gholson, S. H.....	1837,	'38
Greene, Thomas M.....	1802,	'03
Gwin, William M'K.....	1841,	'43
Haile, William.....	1826,	'28
Hammet, William J.....	1843,	'45
Hinds, Thomas.....	1828,	'31
Hunter, Narsworthy.....	1801,	'02
Lattimore, William.....	{ 1803,	'07
	{ 1813,	'17
	{ 1831,	'33
Plummer, Franklin E.....	{ 1834,	'35
	{ 1807,	'13
Poindexter, George.....	{ 1817,	'19
Prentiss, Sergeant S.....	1838,	'39
Rankin, Christopher.....	1819,	'26
Roberts, Robert W.....	1843,	'47
Thompson, Jacob.....	1839,	'47
Tucker, Tilghman W.....	1843,	'45
Word, Thomas J.....	1838,	'39

LOUISIANA.—1812.

Senators.

Barrow, Alexander.....	1841,	'47
Brown, James.....	{ 1812,	'17
	{ 1819,	'24

Bouligny, Dominique.....	1824,	'29
Claiborne, William C. C.....	1817,	'18
Conrad, Charles M.....	1842,	'43
Fromentin, Eligius.....	1813,	'19
Gayarre, Charles A.....	1835,	'36
Johnson, Henry.....	{ 1818,	'24
	{ 1843,	'49
Johnston, Josiah S.....	1824,	'33
Livingston, Edward.....	1829,	'31
Magruder, Allan B.....	1812,	'13
Monton, Alexander.....	1837,	'42
Nicholas, R. C.....	1836,	'41
Porter, Alexander.....	1834,	'37
Posey, Thomas.....	1812,	'13
Waggaman, George A.....	1831,	'35

Representatives.

Brent, William L.....	1823,	'29
Bullard, Henry A.....	1831,	'34
Butler, Thomas.....	1818,	'21
Chinn, Thomas W.....	1839,	'41
Clark, Daniel.....	1806,	'09
Dawson, John B.....	1841,	'45
Garland, Rice.....	1834,	'40
Gurley, Henry H.....	1823,	'31
Harmanson, John H.....	1845,	'47
Johnson, Henry.....	1835,	'39
Johnston, Josiah S.....	1821,	'23
Labranche, Alcee.....	1843,	'45
La Sere, Emile.....	1846,	'47
Livingston, Edward.....	1823,	'29
Moore, John.....	1841,	'43
Morse, Isaac E.....	1843,	'47
Overton, Walter H.....	1829,	'31
Poydras, Julian.....	1809,	'12
Ripley, Eleazar W.....	1835,	'39
Robertson, Thomas B.....	1812,	'18
Slidell, John.....	1843,	'45
Thibodeaux, B. G.....	1845,	'47
Thomas, Philemon.....	1831,	'35
White, Edward D.....	{ 1829,	'34
	{ 1839,	'43

ARKANSAS.—1836.

Senators.

Ashley, Chester.....	1844,	'48
Fulton, William S.....	1836,	'44
Sevier, Ambrose H.....	1836,	'48

Representatives.

Cross, Edward.....	1839,	'45
Yell, Archibald.....	{ 1837,	'39
	{ 1845,	'46

TENNESSEE.—1796.

Senators.

Anderson, Alexander.....	1840,	'41
Anderson, Joseph.....	1797,	'1815
Blount, William.....	1796,	'97
Campbell George W.....	{ 1811,	'14
	{ 1815,	'18

	From	To		From	To
Cocke, William.....	{ 1796,	'97	Hall, William.....	1831,	'33
Eaton, John H.....	1795,	1805	Harris, Thomas K.....	1813,	'15
Foster, Ephraim H.....	1818,	'29	Henderson, Bennett H.....	1815,	'17
Grundy, Felix.....	{ 1839,	'45	Hogg, Samuel.....	1817,	'19
Jackson, Andrew.....	{ 1829,	'38	Houston, Samuel.....	1823,	'27
Jernagin, Spencer.....	1840,	'41	Humphreys, Perry W.....	1813,	'15
Nicholson, A. O. P.....	{ 1797,	'98	Huntsman, Adam.....	1835,	'37
Smith, Daniel.....	1823,	'25	Inge, William M.....	1833,	'35
Turney, Hopkins L.....	1843,	'47	Isaacs, Jacob C.....	1823,	'33
Wharton, Jesse.....	1841,	'42	Jackson, Andrew.....	1796,	'97
White, Hugh L.....	{ 1798,	'99	Johnson, Cave.....	{ 1829,	'37
Whiteside, Jenkin.....	1805,	'09	Johnson, Andrew.....	1843,	'45
Williams, John.....	1845,	'51	Jones, Francis.....	1817,	'23
	1814,	'15	Jones, George W.....	1843,	'47
	{ 1825,	'35	Lea, Luke.....	1833,	'37
	1836,	'40	Lee, Prior.....	1827,	'31
	1809,	'11	Marable, John H.....	1825,	'29
	1815,	'23	Marr, George W. L.....	1817,	'19
			Martin, Barclay.....	1845,	'47
<i>Representatives.</i>			Mauzy, Abraham P.....	1835,	'39
Alexander, Adam R.....	1823,	'27	McClellan, Abraham.....	1837,	'43
Allen, Robert.....	1819,	'27	Miller, Pleasant M.....	1809,	'11
Arnold, Thomas D.....	{ 1831,	'33	Mitchell, James C.....	1825,	'29
Ashe, John B.....	1843,	'45	Peyton, Bailie.....	1833,	'37
Bell, John.....	1827,	'41	Peyton, Joseph H.....	1843,	'45
Blackwell, Julius W.....	{ 1839,	'41	Polk, James K.....	1825,	'39
Blair, John.....	1843,	'45	Powell, Samuel.....	1815,	'17
Blount, William G.....	1823,	'37	Reynolds, James B.....	{ 1815,	'17
Bowen, John H.....	1815,	'19		{ 1823,	'25
Brown, Aaron V.....	1813,	'15	Rhea, John.....	{ 1803,	'15
Brown, Milton.....	1839,	'45		{ 1817,	'23
Bryan, Henry H.....	1841,	'47	Sandford, James T.....	1823,	'25
Bunch, Samuel.....	1819,	'23	Senter, William T.....	1843,	'45
Campbell, G. W.....	1833,	'37	Seyvier, John.....	1811,	'15
Campbell, Thomas J.....	'09	'39	Shields, Ebenezer J.....	1835,	'39
Campbell, William B.....	1803,	'43	Standifer, James.....	{ 1823,	'25
Cannon, Newton.....	1841,	'43		{ 1829,	'37
	{ 1814,	'17	Stanton, Frederick P.....	1845,	'47
	1819,	'23	Stone, William.....	1838,	'39
Carter, William B.....	1835,	'41	Thomas, Isaac.....	1815,	'17
Caruthers, Robert L.....	1841,	'43	Turney, H. L.....	1837,	'43
Chase, L. B.....	1845,	'47	Watterson, Harvey M.....	1839,	'43
Cheatham, Richard.....	1837,	'39	Weakley, Robert.....	1809,	'11
Claiborne, Thomas.....	1817,	'19	Wharton, Jesse.....	1807,	'09
Claiborne, William C. C.....	1797,	1801	White, James.....	1792,	'94
Cocke, John.....	1819,	'27	Williams, Christopher H.....	1837,	'43
Cocke, William M.....	1845,	'47	Williams, Joseph L.....	1837,	'43
Crockett, David.....	{ 1827,	'31			
	1833,	'35			
Crockett, John W.....	1837,	'41			
Crozier, John.....	1845,	'47			
Cuñom, Alvan.....	1845,	'47			
Desha, Robert.....	1827,	'31			
Dickinson, D. W.....	1833,	'35			
Dickinson, David W.....	1843,	'45			
Dickson, William.....	1801,	'07			
Dunlap, William C.....	1833,	'37			
Ewing, Edwin H.....	1845,	'47			
Fitzgerald, William.....	1831,	'33			
Forrester, J. B.....	1833,	'37			
Gentry, Meredith P.....	{ 1839,	'43			
	1845,	'47			
Grundy, Felix.....	1811,	'14			

KENTUCKY.—1792.

Senators.

Adair, John.....	1805,	'06
Barry, William T.....	1814,	'16
Bibb, George M.....	{ 1811,	'14
	{ 1829,	'35
Bledsoe, Jesse.....	1813,	'15
Breckenridge, John.....	1801,	'05
Browne, John.....	1792,	'05
	1806,	'07
Clay, Henry.....	{ 1810,	'11
	{ 1831,	'42
	1817,	'19
Crittenden, John J.....	{ 1835,	'41
	{ 1842,	'48

	From	To
Edwards, John.....	1792,	'95
Hardin, Martin T.....	1816,	'17
Johnson, Richard M.....	1819,	'29
Logan, William.....	1819,	'20
Marshall, Humphrey.....	1795, 1801	
Morehead, James T.....	1841,	'47
Pope, John.....	1807,	'13
Rowan, John.....	1825,	'31
Talbot, Isham.....	{ 1815,	'19
	{ 1820,	'25
Thurston, John Buckner.....	1805,	'10
Walker, George.....	1814,	'15

Representatives.

Adair, John.....	1831,	'33
Allan, Chilton.....	1831,	'37
Anderson, Richard C.....	1817,	'21
Anderson, S. H.....	1839,	'41
Andrews, L. W.....	1839,	'43
Barry, William T.....	1810,	'11
Beatty, Martin.....	1833,	'35
Bedinger, George M.....	1803,	'07
Bell, Joshua F.....	1845,	'47
Boyd, Lian.....	{ 1835,	'37
	{ 1839,	'47
Breckenridge, J. D.....	1821,	'23
Brown, William.....	1819,	'23
Buckner, Richard A.....	1823,	'29
Bullock, Wingfield.....	1820,	'21
Butler, William O.....	1839,	'43
Caldwell, George A.....	1843,	'45
Calhoun, John.....	1835,	'39
Campbell, John.....	1837,	'38
Chambers, John.....	{ 1828,	'29
	{ 1835,	'39
Chilton, Thomas.....	{ 1827,	'31
	{ 1833,	'35
Christie, Henry.....	1809,	'11
Clark, James.....	{ 1813,	'16
	{ 1825,	'31
	{ 1811,	'14
Clay, Henry.....	{ 1815,	'21
	{ 1823,	'25
Coleman, Nicholas D.....	1829,	'31
Daniel, Henry.....	1827,	'33
Davis, Amos.....	1833,	'35
Davis, Garret.....	1839,	'47
Davis, Thomas T.....	1797, 1803	
Desha, Joseph.....	1807,	'19
Duval William P.....	1813,	'15
Fletcher, Thomas.....	1816,	'17
Fowler, John.....	1797, 1807	
French, Richard.....	{ 1835,	'37
	{ 1843,	'45
Gaither, Nathan.....	1829,	'33
Graves, William J.....	1835,	'41
Green, Willis.....	1839,	'45
Greenup, Christopher.....	1792,	'97
Grider, Henry.....	1843,	'47
Hardin, Benjamin.....	{ 1815,	'17
	{ 1819,	'23
	{ 1833,	'37
Harlan, James.....	1835,	'39
Hawes, Albert G.....	1831,	'37

	From	To
Hawes, Richard.....	1837,	'41
Hawkins, Joseph W.....	1814,	'15
Henry, Robert P.....	1823,	'27
Hopkins, Samuel.....	1813,	'15
Howard, Benjamin.....	1807,	'10
Johnson, Francis.....	1821,	'27
Johnson, James.....	1825,	'26
Johnson, John T.....	1821,	'25
Johnson, Richard M.....	{ 1807,	'19
	{ 1829,	'37
Kincaid, John.....	1829,	'33
Lecompte, Joseph.....	1825,	'33
Letcher, Robert P.....	1823,	'33
Love, James.....	1833,	'35
Lyon, Chittenden.....	1827,	'35
Lyon, Matthew.....	1803,	'11
Marshall, Thomas A.....	1831,	'35
Marshall, Thomas F.....	1841,	'43
Martin, John P.....	1845,	'47
M'Hatton, Robert.....	1826,	'29
M'Henry, John H.....	1843,	'47
M'Kee, Samuel.....	1809,	'17
M'Lean, Alney.....	{ 1815,	'17
	{ 1819,	'21
Menifee, Richard H.....	1837,	'39
Metcalfe, Thomas.....	1819,	'29
Montgomery, Thomas.....	{ 1813,	'15
	{ 1821,	'23
	{ 1823,	'29
Moore, Thomas P.....	{ 1833,	'34
Murray, John L.....	1838,	'39
New, Anthony.....	{ 1811,	'13
	{ 1817,	'19
	{ 1821,	'23
Ormsby, Stephen.....	1811,	'17
Orr, Alexander D.....	1792,	'97
Owsley, Bryan Y.....	1841,	'43
Pope, John.....	1837,	'43
Pope, P. H.....	1833,	'35
Quarles, Tunstall.....	1817,	'20
Robertson, George C.....	1817,	'21
Rowan, John.....	1807,	'09
Rumsey, Edward.....	1837,	'39
Sanford, Thomas.....	1803,	'07
Sharpe, Solomon P.....	1813,	'17
Smith, John S.....	1821,	'23
Southgate, William W.....	1837,	'39
Speed, Thomas.....	1817,	'19
Sprigg, James C.....	1841,	'43
Stone, James.....	1843,	'45
Taul, Micah.....	1815,	'17
Tibbatts, John W.....	1843,	'47
Thomasson, William P.....	1843,	'47
Thompson, John B.....	1841,	'43
Thompson, Philip.....	1823,	'25
Tompkins, Christopher.....	1831,	'35
Trimble, David.....	1817,	'27
Triplett, Philip.....	1839,	'43
Trumbo, Andrew.....	1845,	'47
Underwood, Joseph R.....	1835,	'43
Walker, David.....	1817,	'20
Walton, Matthew.....	1803,	'07
White, David.....	1823,	'25
White, John.....	1835,	'45

	From	To
Wickliffe, Charles A.....	1823,	'33
Williams, Sherrod.....	1835,	'41
Woodson, Samuel H.....	1820,	'23
Yancey, Joel.....	1827,	'31
Young, William F.....	1825,	'27
Young, Bryan R.....	1845,	'47

OHIO.—1803.

Senators.

Allen, William.....	1837,	'49
Brown, Ethan A.....	1822,	'25
Burnett, Jacob.....	1828,	'31
Campbell, Alexander.....	1809,	'13
Corwin, Thomas.....	1845,	'51
Ewing, Thomas.....	1831,	'37
Griswold, S.....	1809,	'09
Harrison, William Henry.....	1825,	'28
Kerr, Joseph.....	1814,	'15
Meigs, Return J.....	1808,	'10
Morris, Thomas.....	1833,	'39
Morrow, Jeremiah.....	1813,	'19
Ruggles, Benjamin.....	1815,	'33
Smith, John.....	1803,	'08
Tappan, Benjamin.....	1839,	'45
Tiffin, Edward.....	1807,	'09
Trimble, William A.....	1819,	'22
Worthington, Thomas.....	{ 1803,	'07
	{ 1810,	'14

Representatives.

Alexander, John.....	1813,	'17
Alexander, J., jr.....	1837,	'39
Allen, William.....	1833,	'35
Allen, John W.....	1837,	'41
Andrews, S. J.....	1841,	'43
Barber, Levi.....	{ 1817,	'19
	{ 1821,	'23
Bartley, Mordecai.....	1823,	'31
Beall, Rezin.....	1813,	'15
Beecher, Philemon.....	{ 1817,	'21
	{ 1823,	'29
Bell, James M.....	1833,	'35
Bond, William K.....	1835,	'41
Brinkerhoff, Henry R.....	1843,	'44
Brinkerhoff, Jacob.....	1843,	'47
Brush, Henry.....	1819,	'21
Caldwell, James.....	1813,	'17
Campbell, John W.....	1817,	'27
Chambers, David.....	1821,	'23
Chaney, John.....	1833,	'39
Clendenen, David.....	1815,	'17
Coffin, Charles G.....	1838,	'39
Cooke, Eleutheros.....	1831,	'33
Corwin, Thomas.....	1831,	'40
Cowen, Benjamin S.....	1841,	'43
Crane, Joseph H.....	1829,	'37
Creighton, William.....	{ 1815,	'17
	{ 1827,	'33
Cummins, John D.....	1845,	'47
Cunningham, Francis A.....	1845,	'47
Davenport, John.....	1827,	'29
Dean, Ezra.....	1841,	'45

Delano, Columbus.....	1845,	'47
Dean, Ezra.....	1841,	'45
Doane, William.....	1839,	'43
Duncan, Alexander.....	{ 1837,	'41
	{ 1843,	'45
Faran, James J.....	1845,	'47
Findlay, James.....	1825,	'33
Florence, Elias.....	1843,	'45
Fries, George.....	1845,	'47
Gazley, James W.....	1823,	'25
Giddings, Joshua R.....	1839,	'47
Goode, Patrick G.....	1837,	'43
Goodenow, John M.....	1829,	'31
Hamer, Thomas L.....	1833,	'39
Hamlin, Edward S.....	1844,	'45
Harper, Alexander.....	{ 1837,	'39
	{ 1843,	'47
Harrison, William Henry.....	1816,	'19
Hastings, John.....	1839,	'43
Herrick, Samuel.....	1817,	'21
Hitchcock, Peter.....	1817,	'19
Howell, Elias.....	1835,	'37
Hunter, William H.....	1837,	'39
Irvin, William W.....	1829,	'33
Jennings, David.....	1825,	'26
Johnson, Perley B.....	1843,	'45
Jones, Benjamin.....	1833,	'37
Kennon, William.....	{ 1829,	'33
	{ 1835,	'37
Kilborn, James.....	1813,	'17
Kilgore, Daniel.....	1835,	'39
Leavitt, Humphrey H.....	1831,	'34
Leadbetter, D. P.....	1837,	'41
Loomis, A.....	1837,	'38
Lytle, Robert T.....	1833,	'35
Mason, Samson.....	1835,	'43
Mathiot, Joshua.....	1841,	'43
Matthews, James.....	1841,	'45
M'Arthur, Duncan.....	1823,	'25
M'Causlen, William C.....	1843,	'45
M'Dowell, Joseph J.....	1843,	'47
M'Lean, John.....	1813,	'16
M'Lean, William.....	1823,	'29
M'Lene, Jeremiah.....	1833,	'37
Medill, William.....	1839,	'43
Mitchell, Robert.....	1833,	'35
Moore, Heman A.....	1843,	'44
Morris, Calvary.....	1837,	'43
Morris, Joseph.....	1843,	'47
Morrow, Jeremiah.....	{ 1803,	'13
	{ 1841,	'43
Muhlenberg, Francis.....	1828,	'29
Parish, Isaac.....	{ 1839,	'41
	{ 1845,	'47
Patterson, John.....	1823,	'25
Patterson, William.....	1833,	'38
Pendleton, N. G.....	1841,	'43
Perrill, Augustus L.....	1845,	'47
Potter, Emery D.....	1843,	'45
Ridgeway, Joseph.....	1837,	'43
Root, Joseph M.....	1845,	'47
Ross, Thomas R.....	1819,	'25
Russell, William.....	{ 1827,	'33
	{ 1841,	'43

	From	To
Sawyer, William.....	1845,	'47
Schenck, Robert C.....	1843,	'47
Shannon, Thomas.....	1826,	'27
Shepler, Matthias.....	1837,	'39
Shields, James.....	1829,	'31
Sloane, John.....	1819,	'29
Sloane, Jonathan.....	1833,	'37
Spangler, David.....	1833,	'37
Stanberry, William.....	1827,	'33
Starkweather, D. A.....	{ 1839,	'41
	{ 1845,	'47
St. John, Henry.....	1843,	'47
Stokeley, Samuel.....	1841,	'43
Storer, Bellamy.....	1835,	'37
Stone, Alfred P.....	1844,	'45
Swearingen, Henry.....	1839,	'41
Sweeney, George.....	1839,	'43
Taylor, Jonathan.....	1839,	'41
Thompson, John.....	{ 1825,	'27
	{ 1829,	'37
Thurman, Allen G.....	1845,	'47
Tilden, Daniel R.....	1843,	'47
Vance, Joseph.....	{ 1821,	'35
	{ 1843,	'47
Van Metre, John J.....	1843,	'45
Vinton, Samuel F.....	{ 1823,	'37
	{ 1843,	'47
Webster, Taylor.....	1833,	'39
Weller, John B.....	1839,	'45
Whittlesey, Elisha.....	1823,	'39
Wilson, William.....	1823,	'27
Woods, John.....	1825,	'29
Wright, John C.....	1823,	'29

	From	To
Graham, William.....	1837,	'39
Hannegan, Edward A.....	1833,	'37
Hendricks, William.....	1816,	'22
Henley, Thomas J.....	1843,	'47
Herod, William.....	1837,	'39
Howard, Tilghman A.....	1839,	'40
Jennings, Jonathan.....	1822,	'31
Kennedy, Andrew.....	1841,	'47
Kinnard, George L.....	1833,	'37
Lane, Amos.....	1833,	'37
Lane, Henry S.....	1841,	'43
M'Carty, Jonathan.....	1831,	'37
M'Gaughey, Edward W.....	1845,	'47
Owen, Robert Dale.....	1843,	'47
Pettit, John.....	1843,	'47
Prince, William.....	1823,	'24
Proffit, George H.....	1839,	'43
Rariden, James.....	1837,	'41
Sample, Samuel C.....	1843,	'45
Smith, Oliver H.....	1827,	'29
Smith, Caleb B.....	1843,	'47
Smith, Thomas.....	{ 1839,	'41
	{ 1843,	'47
Test, John.....	{ 1823,	'27
	{ 1829,	'31
Thompson, Robert W.....	1841,	'43
Wallace, David.....	1841,	'43
White, Albert S.....	1837,	'39
White, Joseph L.....	1841,	'43
Wick, William W.....	{ 1839,	'41
	{ 1845,	'47
Wright, Joseph A.....	1843,	'45

INDIANA.—1816.

Senators.

Bright, Jesse D.....	1845,	'51
Hanna, Robert.....	1831,	'32
Hannegan, Edward A.....	1843,	'49
Hendricks, William.....	1825,	'37
Noble, James.....	1816,	'31
Smith, Oliver H.....	1837,	'43
Taylor, Waller.....	1816,	'25
Tipton, John.....	1832,	'39
White, Albert S.....	1839,	'45

Representatives.

Blake, Thomas H.....	1827,	'29
Boone, Ratliff.....	{ 1825,	'27
	{ 1829,	'39
Brown, William J.....	1843,	'45
Call, Jacob.....	1824,	'25
	{ 1831,	'37
	{ 1839,	'41
Cathcart, Charles W.....	1845,	'47
Cravens, James H.....	1841,	'43
	{ 1835,	'37
	{ 1839,	'41
	{ 1843,	'47
Dunn, George H.....	1837,	'39
Ewing, John.....	{ 1833,	'35
	{ 1837,	'39

ILLINOIS.—1818.

Senators.

Baker, David J.....	1830,	'31
Breese, Sidney.....	1843,	'49
Edwards, Ninian.....	1818,	'24
Ewing, William L. D.....	1836,	'37
Kane, Elias K.....	1825,	'36
M'Lean, John.....	{ 1824,	'25
	{ 1829,	'30
M'Roberts, Samuel.....	1841,	'43
Robinson, John M.....	1831,	'41
Semple, James.....	1843,	'47
Thomas, Jesse B.....	1818,	'29
Young, Richard M.....	1837,	'43

Representatives.

Baker, Edward D.....	1845,	'47
Casey, Zadock.....	1833,	'43
Cooke, Daniel B.....	1819,	'27
Douglass, Stephen A.....	1843,	'47
Duncan, Joseph.....	1827,	'35
Ficklin, Orlando B.....	1843,	'47
Hardin, John J.....	1843,	'45
Hoge, Joseph P.....	1843,	'47
May, William L.....	1835,	'39
M'Lean, John.....	1818,	'19
M'Clelland, John A.....	1843,	'47
Reynolds, John.....	{ 1835,	'37
	{ 1839,	'43

	From	To
Slade, Charles.....	1833,	'34
Smith, Robert.....	1843,	'47
Snyder, A. W.....	1837,	'43
Stuart, John T.....	1839,	'43
Wentworth, John.....	1843,	'47

MISSOURI.—1821.

Senators.

Atchison, David R.....	1843,	'49
Barton, David.....	1821,	'31
Benton, Thomas H....	1821,	'51
Bucknor, Alexander.....	1831,	'33
Linn, Lewis F.....	1834,	'43

Representatives.

Ashley, William H.....	1831,	'37
Bates, Edward.....	1827,	'29
Bower, Gustavus B.....	1843,	'45
Bowlin, James B.....	1843,	'47
Bull, John.....	1833,	'35
Edwards, John C.....	1841,	'43
Harrison, Albert G.....	1835,	'39
Hughes, James M.....	1843,	'45
Jameson, John.....	{ 1840,	'31
	{ 1843,	'45
Miller, John.....	1837,	'53
Pettis, Spencer.....	1829,	'31
Phelps, John S.....	1845,	'47
Price, Sterling.....	1845,	'47
Relfe, James H.....	1843,	'47
Scott, John.....	1821,	'27
Sims, Leonard H.....	1845,	'47

MICHIGAN.—1836.

Senators.

Cass, Lewis.....	1845,	'48
Lyon, Lucius.....	1836,	'40
Norvell, John.....	1836,	'41
Porter, Augustus A.....	1840,	'45
Woodbridge, William.....	1841,	'47

Representatives.

Chipman, John S.....	1845,	'47
Crary, Isaac E.....	1836,	'41
Howard, Jacob M.....	1841,	'43
Hunt, James B.....	1843,	'47
Lyon, Lucius.....	1843,	'45
McClelland, Robert.....	1843,	'47

FLORIDA.—1845.

Senators.

Yulee [Levy], David.....	1845,	'51
Westcott, James T.....	1845,	'49

Representatives.

Cabell, Edward C. (<i>rejected</i>)..	1845,	'45
Brockenbrough, W. H.....	1845,	'47

TEXAS.—1845.

Senators.

Houston, Samuel.....	1846,	'49
Rusk, Thomas J.....	1846,	'51

Representatives.

Kauffman, David S.....	1846,	'47
Pilebury, Timothy.....	1846,	'47

DELEGATES FROM TERRITORIES.

Northwest Territory (Ohio, &c.).

Fearing, Paul.....	1801,	'03
Harrison, William Henry.....	1799,	1800

Southwest Territory (Tennessee)

White, James.....	1792,	'94
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Indiana.

Jennings, Jonathan.....	1809,	'16
Parke, Benjamin.....	1805,	'08
Thomas, Jesse B.....	1808,	'09

Orleans (Louisiana).

Clarke, Daniel.....	1806,	'09
Poydras, Julian.....	1809,	'12

Mississippi.

Greene, Thomas M.....	1802,	'03
Hunter, Norsworthy.....	1801,	'02
Lattimore, William.....	{ 1803,	'07
	{ 1813,	'17
Poindexter, George.....	1807,	'13

Alabama.

Crowell, John.....	1817,	'19
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Illinois.

Bond, Shadrach.....	1811,	'15
Pope, Nathaniel.....	1816,	'18
Stephenson, Benjamin.....	1815,	'16

Missouri.

Easton, Rufus.....	1814,	'16
Hamsted, Edward.....	1811,	'14
Scott, John.....	1816,	'21

Michigan.

Biddle, John.....	1829,	'31
Jones, George W.....	1835,	'36
Lyon, Lucius.....	1833,	'35
Richard, Gabriel.....	1823,	'25
Sibley, Solomon.....	1820,	'23
Wing, Austin E.....	{ 1825,	'29
	{ 1831,	'33
Woodbridge, William.....	1819,	'20

Arkansas.

Bates, James W.....	1820,	'23
Conway, Henry W.....	1823,	'29
Sevier, Ambrose H.....	1829,	'36

Florida.

Call, Richard K.....	1823,	'25
Downing, Charles.....	1837,	'41
Hernandez, Joseph M.....	1822,	'23
Levy, David.....	1841,	'45
White, Joseph M.....	1825,	'37

Wisconsin.

Dodge, Henry.....	1841,	'45
Doty, James D.....	1839,	'41
Jones, George W.....	1837,	'39
Martin, Morgan L.....	1845,	'47

Iowa.

Chapman, William W.....	1839,	'41
Dodge, Augustus C.....	1841,	'47

SENATORS AND REPRESENTATIVES IN CONGRESS,

From the Commencement of the Thirtieth Congress, March 4, 1847, to the End of the Thirty-third Congress, March 3, 1855, with the Beginning and Termination of their respective Periods of Office.

MAINE.

Senators.

	From	To
Bradbury, John W.	1847,	'53
Fessenden, William P.	1853,	'59
Hamlin, Hannibal.	1849,	'57
Moor, Wyman B. S.	1848,	'49

Representatives.

Andrews, Charles.	1851,	'52
Appleton, John.	1851,	'53
Belcher, Hiram.	1847,	'49
Benson, Samuel P.	1853,	'55
Clapp, Asa W. H.	1847,	'49
Clark, Franklin.	1847,	'49
Farley, E. Wilder.	1853,	'55
Fuller, Thomas J. D.	1851,	'55
Gerry, Elbridge.	1849,	'51
Goodenow, Robert.	1851,	'53
Goodenow, Rufus K.	1849,	'51
Hamlin, Hannibal.	1847,	'49
Hammons, David.	1847,	'49
Littlefield, Nathaniel S.	1849,	'51
M'Donald, Moses.	1851,	'55
Mayall, Samuel.	1853,	'55
Otis, John.	1849,	'51
Reed, Isaac.	1852,	'53
Sawtelle, Cullen.	1849,	'51
Smart, Ephraim K.	{ 1847,	'49
	{ 1851,	'53
Stetson, Charles.	1849,	'51
Washburn, Israel, jr.	1851,	'55
Wiley, James S.	1847,	'49
Williams, Hezekiah.	1847,	'49

NEW HAMPSHIRE.

Senators.

Atherton, Charles G.	1853,	'53
Cilley, Joseph.	1846,	'47
Hale, John P.	1847,	'53
Norris, Moses, jr.	1849,	'55
Williams, Jared W.	1853,	'54

Representatives.

Hibbard, Harry.	1847,	'55
Johnson, James H.	1847,	'49
Kittredge, George W.	1853,	'55
Morrison, George W.	{ 1850,	'51
	{ 1853,	'55
Peaslee, Charles H.	1847,	'53

From To

Perkins, Jared.	1851,	'53
Tuck, Amos.	1847,	'53
Wilson, James.	1847,	'50

VERMONT.

Senators.

Foot, Solomon.	1851,	'57
Phelps, Samuel S.	1853,	'54

Representatives.

Bartlett, Thomas, jr.	1851,	'53
Collamer, Jacob.	1847,	'43
Hebard, William.	1849,	'53
Henry, Willam.	1847,	'53
Marsh, George P.	1847,	'49
Meacham, James.	1849,	'55
Miner, Ahiman L.	1851,	'53
Peck, Lucius B.	1847,	'51
Sabine, Alvah.	1853,	'55
Tracy, Andrew.	1853,	'55

MASSACHUSETTS.

Senators.

Everett, Edward.	1853,	'59
Rantoul, Robert, jr.	1851,	'51
Sumner, Charles.	1851,	'57
Webster, Daniel.	1847,	'50
Winthrop, Robert C.	1850,	'51

Representatives.

Abbott, Amos.	1847,	'49
Adams, John Q.	1847,	'48
Allen, Charles.	1849,	'53
Appleton, William.	1851,	'55
Ashmun, George.	1847,	'51
Banks, Nathaniel P.	1853,	'55
Crocker, Samuel L.	1853,	'55
Davis, George T.	1851,	'53
Dewitt, Alexander.	1853,	'55
Dickinson, Edward.	1853,	'55
Duncan, James H.	1849,	'53
Edmonds, J. Wiley.	1853,	'55
Elliot, Samuel A.	1850,	'51
Elliot, Thomas D.	1854,	'55
Fay, Francis B.	1852,	'53
Fowler, Orin.	1849,	'52
Goodrich, John Z.	1851,	'55
Grinnell, Joseph.	1847,	'51
Hale, Artemas.	1846,	'49

	From	To		From	To
Hudson, Charles	1847,	'49	Birdsall, Ausburn	1847,	'49
King, Daniel P.	1847,	'50	Blackmar, Esbon	1848,	'49
Little, Edward P.	1842,	'53	Bokee, David A.	1849,	'51
Mann, Horace	1848,	'53	Bowne, Obadiah	1851,	'53
Palfrey, John G.	1847,	'49	Boyd, John H.	1851,	'53
Rantoul, Robert, jr.	1851,	'52	Briggs, George	1849,	'53
Rockwell, Julius	1847,	'51	Brooks, James	1849,	'53
Sabine, Lorenzo	1852,	'53	Buell, Alexander H.	1851,	'53
Scudder, Zeno	1851,	'54	Burrows, Lorenzo	1849,	'53
Thompson, Benjamin	{ 1845,	'47	Carpenter, David	1853,	'55
	1851,	'52	Chase, George W.	1853,	'55
Upham, Charles W.	1853,	'55	Clarke, Charles E.	1849,	'51
Walley, Samuel H.	1853,	'55	Collins, William	1847,	'49
Wentworth, Tappan	1853,	'55	Conger, Harmon S.	1847,	'51
Winthrop, Robert C.	1847,	'50	Cummings, Thomas W.	1853,	'55

RHODE ISLAND.

Senators.

Allen, Philip	1853,	'59
Clarke, John H.	1847,	'53
James, Charles T.	1851,	'57

Representatives.

Cranston, Robert B.	1847,	'49
Davis, Thomas	1853,	'55
Dixon, Nathan F.	1849,	'51
King, George G.	1849,	'53
Thurston, Benjamin B.	{ 1847,	'49
	1851,	'55

CONNECTICUT.

Senators.

Baldwin, Roger S.	1847,	'51
Smith, Truman	1849,	'55
Toucey, Isaac	1852,	'57

Representatives.

Belcher, Nathan	1853,	'55
Booth, Walter	1849,	'51
Butler, Thomas B.	1849,	'51
Chapman, Charles	1851,	'53
Cleveland, Chauncey F.	1849,	'53
Dixon, James	1847,	'49
Hubbard, Samuel D.	1847,	'49
Ingersoll, Colin M.	1851,	'55
Pratt, James T.	1853,	'55
Rockwell, John A.	1847,	'49
Seymour, Origen S.	1851,	'55
Smith, Truman	1847,	'49
Waldo, Loren P.	1849,	'51

NEW YORK.

Senators.

Fish, Hamilton	1851,	'57
Seward, William H.	1849,	'55

Representatives.

Alexander, H. P.	1849,	'51
Andrews, George R.	1849,	'51
Babcock, Leander	1851,	'53
Bennett, Henry	1849,	'55

Birdsall, Ausburn	1847,	'49
Blackmar, Esbon	1848,	'49
Bokee, David A.	1849,	'51
Bowne, Obadiah	1851,	'53
Boyd, John H.	1851,	'53
Briggs, George	1849,	'53
Brooks, James	1849,	'53
Buell, Alexander H.	1851,	'53
Burrows, Lorenzo	1849,	'53
Carpenter, David	1853,	'55
Chase, George W.	1853,	'55
Clarke, Charles E.	1849,	'51
Collins, William	1847,	'49
Conger, Harmon S.	1847,	'51
Cummings, Thomas W.	1853,	'55
Cutting, Francis B.	1853,	'55
Dean, Gilbert	1851,	'55
Duer, William	1847,	'51
Fenton, Reuben E.	1853,	'55
Flagler, Thomas F.	1853,	'55
Floyd, John G.	1851,	'53
Gott, Daniel	1847,	'51
Gould, Herman D.	1849,	'51
Greeley, Horace	1848,	'49
Hall, Nathan K.	1847,	'49
Halloway, Ransom	1849,	'51
Hart, Emanuel B.	1851,	'53
Hascall, Augustus P.	1851,	'53
Hastings, George	1853,	'55
Haven, Solomon G.	1851,	'55
Hawa, J. H. Hobart	1851,	'53
Holley, John M.	1847,	'48
Holmes, Elias B.	1847,	'49
Horsford, Jerediah	1851,	'53
Howe, Thomas Y., jr.	1851,	'53
Hughes, Charles	1853,	'55
Hunt, Washington	1847,	'49
Hunter, William G.	1843,	'44
Ives, Willard	1851,	'53
Jackson, David	1847,	'48
Jackson, William T.	1849,	'51
Jenkins, Timothy	{ 1847,	'49
	1851,	'53
Jones, Daniel T.	1851,	'55
Kellogg, O. D.	1847,	'49
King, John A.	1849,	'51
King, Preston	1849,	'53
Lawrence, Sidney	1847,	'49
Lawrence, William T.	1847,	'49
Lord, Frederick W.	1847,	'49
Lyon, Caleb	1853,	'55
Macclay, William B.	1847,	'49
Martin, Frederick S.	1851,	'53
Marvin, Dudley	1847,	'49
Matteson, Orsamus B.	{ 1849,	'51
	1853,	'55
M'Kissock, Thomas	1849,	'51
Maurice, James	1853,	'55
Morgan, Edwin B.	1853,	'55
Mullin, Joseph	1847,	'49
Murphy, Henry C.	1847,	'49
Murray, William	1851,	'55
Nelson, William	1847,	'51
Nicoll, Henry	1847,	'49

	From	To		From	To
Nes, Henry	1847,	'50	<i>Representatives.</i>		
Ogle, Andrew J.	1849,	'51	Atkinson, Archibald	1847,	'49
Packer, Asa	1853,	'55	Averett, Thomas H.	1849,	'53
Parker, Andrew	1851,	'53	Bayly, Thomas H.	1847,	'55
Pitman, Charles W.	1849,	'51	Beale, James M. H.	1849,	'53
Pollock, James	1847,	'49	Beale, R. T. L.	1847,	'49
Reed, Robert R.	1849,	'51	Bedinger, Henry	1847,	'49
Ritchie, David	1853,	'55	Bocock, Thomas S.	1847,	'55
Robbins, John, Jr.	1849,	'55	Botts, John M.	1847,	'49
Ross, Thomas	1849,	'53	Brown, William G.	1845,	'49
Russell, Samuel L.	1853,	'55	Caskie, John S.	1851,	'55
Stevens, Thaddeus	1849,	'53	Clemens, Sherrard	1852,	'53
Stewart, Andrew	1847,	'49	Edmundson, Henry A.	1849,	'55
Straub, Christian M.	1853,	'55	Faulkner, Charles J.	1851,	'55
Strohm, John	1847,	'49	Flournoy, Thomas S.	1847,	'49
Strong, William	1847,	'51	Fulton, Andrew S.	1847,	'49
Thompson, James	1847,	'51	Goggin, William L.	1847,	'49
Trout, Michael C.	1853,	'55	Goode, William O.	1853,	'55
Wilmot, David	1847,	'51	Haymond, Thomas S.	1849,	'51
Witte, William H.	1853,	'55	Holladay, Alexander R.	1848,	'53
Wright, Hendrick B.	1853,	'55	Kidwell, Zedekiah	1853,	'55
			Letcher, John	1851,	'55
DELAWARE			M'Dowell, James	1845,	'51
<i>Senators.</i>			M'Mullen, Fayette	1849,	'55
Bayard, James A.	1851,	'57	Meade, Richard K.	1847,	'53
Clayton, John M.	1853,	'59	Millson, John S.	1849,	'55
Spruance, Presley	1847,	'53	Morton, Jeremiah	1849,	'51
Wales, John	1849,	'51	Parker, Richard	1849,	'51
			Pendleton, John S.	1847,	'49
<i>Representatives.</i>			Powell, Paulus	1849,	'55
Houston, John W.	1847,	'51	Preston, William B.	1847,	'49
Riddle, George R.	1851,	'55	Seddon, James A.	1849,	'51
			Smith, William	1853,	'55
MARYLAND			Snodgrass, John F.	1853,	'55
<i>Senators.</i>			Strother, James F.	1851,	'53
Pearce, James A.	1849,	'51	Thompson, George W.	1851,	'52
Pratt, Thomas G.	1850,	'57	Thompson, R. A.	1847,	'49
Stewart, David	1849,	'50			
			NORTH CAROLINA		
<i>Representatives.</i>			<i>Senators.</i>		
Bowie, Richard	1849,	'53	Badger, George E.	1846,	'55
Chapman, John G.	1847,	'49	Mangum, Willie P.	1847,	'53
Cottman, Joseph S.	1851,	'53			
Crisfield, John W.	1847,	'49	<i>Representatives.</i>		
Evans, Alexander	1847,	'53	Ashe, William S.	1849,	'55
Franklin, John R.	1853,	'55	Barringer, Daniel M.	1847,	'49
Hamilton, William T.	1849,	'55	Boydton, Nathaniel	1847,	'49
Hammond, Edward	1849,	'53	Caldwell, Joseph P.	1849,	'53
Kerr, John B.	1849,	'51	Clingman, Thomas L.	1847,	'55
Ligon, Thomas W.	1847,	'49	Craige, Burton	1853,	'55
M'Lane, Robert M.	1847,	'51	Daniel, John R. J.	1847,	'53
May, Henry	1853,	'55	Deberry, Edmund	1847,	'53
Roman, James D.	1847,	'49	Dockery, Alfred	1851,	'53
Shower, Jacob	1853,	'55	Donnell, R. S.	1847,	'49
Sollera, Augustus R.	1853,	'55	Kerr, John	1853,	'55
Vanzant, Joshua	1853,	'55	M'Kay, James J.	1847,	'49
Walsh, Thomas Y.	1851,	'53	Morehead, James T.	1851,	'53
			Outlaw, David	1847,	'53
VIRGINIA			Puryear, Richard C.	1853,	'55
<i>Senators.</i>			Rogers, Sion H.	1853,	'55
Hunter, Robert M. T.	1847,	'59	Ruffin, Thomas	1853,	'55
Mason, James M.	1847,	'57	Shaw, Henry M.	1853,	'55
			Shepperd, Augustus H.	1847,	'51

	From	To
Stanly, Edward.....	1849,	'53
Venable, Abraham W.....	1847,	'53

SOUTH CAROLINA.

Senators.

Barnwell, Robert W.....	1850,	'50
Butler, Andrew P.....	1847,	'55
Calhoun, John C.....	1847,	'50
Decaussure, William F.....	1852,	'53
Elmore, Franklin H.....	1850,	'50
Evans, Josiah J.....	1853,	'59
Rhett, R. Barnwell.....	1850,	'52

Representatives.

Aiken, William.....	1851,	'55
Boyce, William W.....	1853,	'55
Brooks, Preston S.....	1853,	'55
Burt, Armistead.....	1847,	'53
Colcock, William F.....	1849,	'53
Holmes, Isaac E.....	1847,	'51
Keitt, Lawrence M.....	1853,	'55
M ^c Queen, John.....	1849,	'55
Orr, James L.....	1849,	'55
Rhett, R. Barnwell.....	1847,	'49
Simpson, Richard F.....	1847,	'49
Wallace, Daniel.....	1847,	'53
Woodward, Joseph A.....	1847,	'53

GEORGIA.

Senators.

Berrien, John M.....	1847,	'52
Charlton, Robert M.....	1852,	'53
Dawson, William C.....	1849,	'55
Iverson, Alfred.....	1855,	'61
Johnson, Hercules V.....	1848,	'49
Toomba, Robert.....	1853,	'59

Representatives.

Bailey, David J.....	1851,	'55
Chastain, Edward W.....	1851,	'55
Cobb, Howell.....	1847,	'51
Colquitt, Alfred H.....	1853,	'55
Dent, William B. W.....	1853,	'55
Hackett, Thomas C.....	1849,	'51
Haralson, Hugh A.....	1847,	'51
Hillyer, Junius.....	1851,	'55
Iverson, Alfred.....	1847,	'49
Jackson, Joseph W.....	1850,	'53
Johnson, James.....	1851,	'53
Jones, John W.....	1847,	'49
King, Thomas B.....	1847,	'50
Lumpkin, Joseph H.....	1847,	'49
Owen, Allen F.....	1849,	'51
Murphy, Charles.....	1851,	'53
Reese, David A.....	1853,	'55
Seward, James L.....	1853,	'55
Stephens, Alexander H.....	1847,	'55
Toomba, Robert.....	1847,	'53
Wellborn, M. J.....	1849,	'51

ALABAMA.

Senators.

Clay, Clement C, jr.....	1853,	'59
Clemens, Jeremiah.....	1849,	'53

Fitzpatrick, Benjamin.....	{ 1848,	'49
	{ 1852,	'55
King, William R.....	1848,	'52

Representatives.

Abercrombie, James.....	1851,	'55
Alston, William J.....	1849,	'51
Bowdon, Franklin W.....	1846,	'51
Bragg, John.....	1851,	'53
Cobb, W. R. W.....	1847,	'55
Cottetral, J. L. T.....	1846,	'47
Dowdell, James F.....	1853,	'55
Gayle, John.....	1847,	'49
Harris, Sampson W.....	1847,	'53
Hilliard, Henry W.....	1847,	'51
Houston, George S.....	{ 1847,	'49
	{ 1851,	'55
Hubbard, David.....	1849,	'51
Inge, Samuel W.....	1847,	'51
Philips, Philip.....	1853,	'55
Smith, William R.....	1851,	'55
White, Alexander.....	1851,	'53

MISSISSIPPI.

Senators.

Adams, Stephen.....	1852,	'57
Brooke, Walter.....	1852,	'53
Davis, Jefferson.....	1847,	'51
Foota, Henry S.....	1847,	'52
Brown, Albert G.....	1854,	'59

Representatives.

Barksdale, William.....	1853,	'55
Barry, William S.....	1853,	'55
Brown, Albert G.....	1847,	'53
Fenherstone, W. S.....	1847,	'51
Freeman, John D.....	1851,	'53
Harris, Wiley P.....	1853,	'55
M ^c Willie, William.....	1849,	'51
Nabers, Benjamin D.....	1851,	'53
Singleton, Otho R.....	1853,	'55
Thompson, Jacob.....	1847,	'51
Tompkins, Patrick W.....	1847,	'49
Wilcox, John A.....	1851,	'53
Wright, Daniel B.....	1853,	'55

LOUISIANA.

Senators.

Benjamin, Judah P.....	1853,	'59
Downs, Solomon U.....	1847,	'53
Slidell, John.....	1853,	'55
Soule, Pierre.....	{ 1847,	'47
	{ 1849,	'53

Representatives.

Bullard, Henry A.....	1850,	'51
Conrad, Charles M.....	1849,	'50
Davis, Samuel B.....	1853,	'55
Dunbar, William.....	1853,	'55
Harmanson, John H.....	1847,	'51
Landry, J. Aristide.....	1851,	'53
La Sere, Emile.....	1847,	'51
Moore, John.....	1851,	'53

	From	To
Morse, Isaac E.	1847,	'51
Penn, Alexander G.	1851,	'53
Perkins, John, jr.	1853,	'55
St. Martin, Louis.	1851,	'53
Smith, John B.	1853,	'55
Thibodeaux, B. G.	1847,	'49

FLORIDA.

Senators.

Mallory, Stephen R.	1851,	'57
Morton, Jackson.	1849,	'55
Westcott, James D., jr.	1845,	'49
Yulee, David Levy.	1845,	'51

Representatives.

Cabell, Edward C.	1847,	'53
Maxwell, Augustus E.	1853,	'55

ARKANSAS.

Senators.

Borland, Solon.	1848,	'53
Johnson, Robert W.	1853,	'55
Sebastian, William K.	1848,	'59

Representatives.

Greenwood, Alfred B.	1853,	'55
Johnson, Robert W.	1847,	'53
Newton, Thomas.	1846,	'47
Warren, Edward A.	1853,	'55

TENNESSEE.

Senators.

Bell, John.	1847,	'53
Jones, James C.	1852,	'57

Representatives.

Anderson, Joseph M.	1849,	'52
Barrow, Washington.	1847,	'49
Bugg, Robert M.	1853,	'55
Campbell, Brookins.	1853,	'54
Chase, Lucien B.	1847,	'49
Churchwell, William M.	1852,	'55
Coeke, William M.	1847,	'49
Crozier, John.	1847,	'49
Cullom, William.	1851,	'55
Etheridge, Emerson.	1853,	'55
Ewing, Andrew.	1849,	'51
Gentry, Meredith P.	1847,	'53
Harris, Isham G.	1849,	'53
Haskell, William T.	1847,	'49
Hill, H. L. W.	1847,	'49
Johnson, Andrew.	1847,	'53
Jones, George W.	1847,	'55
Polk, William H.	1851,	'53
Ready, Charles.	1853,	'55
Savage, John H.	1849,	'53
Smith, Samuel A.	1853,	'55
Stanton, Frederick P.	1847,	'55
Taylor, Nathaniel G.	1854,	'55
Thomas, James H.	1847,	'51
Watkins, Albert G.	1849,	'53
Williams, Christopher H.	1849,	'53
Zollicoffer, Felix K.	1853,	'55

KENTUCKY.

Senators.

	From	To
Clay, Henry.	1849,	'51
Crittenden, John J.	1855,	'62
Dixon, Archibald.	1852,	'55
Merriwether, David.	1852,	'52
Metcalf, Thomas.	1848,	'49
Thompson, John B.	1853,	'59
Underwood, Joseph R.	1847,	'53

Representatives.

Adams, Green.	1847,	'49
Boyd, Linn.	1847,	'55
Breck, Daniel.	1849,	'51
Breckenridge, John C.	1851,	'55
Buckner, Aylett.	1847,	'49
Caldwell, George A.	1849,	'51
Chrisman, James S.	1853,	'55
Clark, Beverly L.	1847,	'49
Cox, Leander M.	1853,	'55
Duncan, Garnett.	1847,	'49
Elliot, John M.	1853,	'55
Ewing, Prealey.	1851,	'55
French, Richard.	1847,	'49
Gaines, John P.	1847,	'49
Grey, Benjamin E.	1851,	'55
Hill, Clement S.	1853,	'55
Johnson, James L.	1849,	'51
Marshall, Humphrey.	1849,	'52
Mason, John C.	1849,	'53
M'Lean, Finis E.	1849,	'51
Morehead, Charles S.	1847,	'51
Peyton, Samuel O.	1847,	'49
Preston, William.	1852,	'55
Stanton, Richard H.	1849,	'55
Stone, James W.	1851,	'53
Thompson, John B.	1847,	'51
Ward, William T.	1851,	'53
White, Addison.	1851,	'53

OHIO.

Senators.

Chase, Salmon P.	1849,	'55
Ewing, Thomas.	1850,	'51
Pugh, George E.	1855,	'61
Wade, Benjamin F.	1851,	'57

Representatives.

Ball, Edward.	1853,	'55
Barrere, Nelson.	1851,	'53
Bell, Hiram.	1852,	'53
Bell, John.	1850,	'51
Bliss, George.	1853,	'55
Busby, George H.	1851,	'53
Cable, Joseph.	1849,	'53
Campbell, Lewis D.	1849,	'55
Canby, Richard S.	1847,	'49
Cartter, David K.	1849,	'53
Corwin, Moses B.	1849,	'55
Crowell, John.	1847,	'51
Cummins, John D.	1847,	'49
Dickinson, R.	1847,	'49
Dianey, David T.	1849,	'55

	From	To
Duncan, Daniel.....	1847,	'49
Edgerton, Alfred P.....	1851,	'55
Edwards, Thomas O.....	1847,	'49
Ellison, Andrew.....	1853,	'55
Evans, Nathan.....	1847,	'49
Faran, James J.....	1847,	'49
Fisher, David.....	1847,	'47
Fries, George.....	1847,	'49
Gaylord, James M.....	1851,	'53
Giddings, Joshua R.....	1847,	'55
Green, Frederick W.....	1851,	'55
Harlan, Aaron.....	1853,	'55
Harper, Alexander.....	1851,	'53
Harrison, John S.....	1853,	'55
Hoagland, Moses.....	1849,	'51
Hunter, William F.....	1849,	'53
Johnson, Harvey A.....	1853,	'55
Johnson, John.....	1851,	'53
Kennon, William.....	1847,	'49
Lahm, Samuel.....	1847,	'49
Lindsley, William D.....	1853,	'55
Miller, John K.....	1847,	'51
Morris, Jonathan D.....	1847,	'51
Newton, Ebenezer.....	1851,	'53
Nichols, Matthias H.....	1853,	'55
Olds, Edison B.....	1849,	'55
Potter, Emery D.....	1849,	'51
Ritchey, Thomas.....	{ 1847,	'49
	{ 1853,	'55
Root, Joseph M.....	1847,	'51
Sapp, William R.....	1853,	'55
Sawyer, William.....	1847,	'49
Schenck, Robert C.....	1847,	'51
Shannon, Wilson.....	1853,	'55
Stanton, Benjamin.....	1851,	'53
Stuart, Andrew.....	1853,	'55
Sweetser, Charles.....	1849,	'53
Taylor, John L.....	1847,	'55
Townsend, N. S.....	1851,	'53
Vinton, Samuel F.....	1847,	'51
Wade, Edward.....	1853,	'55
Welch, John.....	1851,	'53
Whittlesey, W. A.....	1849,	'51
Wood, Amos E.....	1851,	'52

INDIANA.

Senators.

Bright, Jesse D.....	1851,	'57
Cathcart, Charles W.....	1852,	'53
Pettit, John.....	1853,	'55
Whitcomb, James.....	1849,	'52

Representatives.

Albertson, Nathaniel.....	1849,	'51
Brenton, Samuel.....	1851,	'53
Brown, William J.....	1849,	'51
Cathcart, Charles W.....	1847,	'49
Chamberlain, Ebenezer M.....	1853,	'55
Davis, John G.....	1851,	'55
Dunham, Cyrus L.....	1849,	'55
Dunn, George G.....	1847,	'49
Eddy, Norman.....	1853,	'55
Embree, Elisha.....	1847,	'49

	From	To
English, William H.....	1853,	'55
Fitch, Graham N.....	1849,	'53
Gorman, Willis A.....	1849,	'53
Harlan, Andrew J.....	{ 1849,	'51
	{ 1853,	'55
Hendricks, Thomas A.....	1851,	'55
Henley, Thomas J.....	1847,	'49
Julian, George W.....	1849,	'51
Lane, James H.....	1853,	'55
Lockhart, James.....	1851,	'53
Mace, Daniel.....	1851,	'55
M'Donald, Joseph E.....	1849,	'51
M'Gaughey, Edward W.....	1849,	'51
Miller, Smith.....	1853,	'55
Parker, Samuel W.....	1851,	'55
Pettit, John.....	1847,	'49
Robinson, John L.....	1847,	'53
Rockhill, William.....	1847,	'49
Smith, Caleb B.....	1847,	'49
Thompson, R. W.....	1847,	'49
Wick, William W.....	1847,	'49

ILLINOIS.

Senators.

Douglass, Stephen A.....	1847,	'59
Shields, James.....	1849,	'55

Representatives.

Allen, James C.....	1853,	'55
Allen, Willis.....	1851,	'55
Baker, Edward D.....	1849,	'51
Bissell, William H.....	1849,	'55
Campbell, Thompson.....	1851,	'53
Ficklin, Orlando B.....	{ 1847,	'49
	{ 1851,	'53
Harris, Thomas L.....	1849,	'51
Knox, James.....	1853,	'55
Lincoln, Abraham.....	1847,	'49
M'Clelland, John A.....	1847,	'51
Molony, Richard S.....	1851,	'53
Norton, Jesse O.....	1853,	'55
Richardson, William A.....	1847,	'55
Smith, Robert.....	1847,	'49
Turner, Thomas J.....	1847,	'49
Washburne, Elihu B.....	1853,	'55
Wentworth, John.....	1847,	'55
Yates, Richard.....	1851,	'55
Young, Timothy R.....	1849,	'51

MISSOURI.

Senators.

Atehison, David R.....	1849,	'55
Geyer, Henry S.....	1851,	'57

Representatives.

Bay, William V. N.....	1849,	'51
Benton, Thomas H.....	1853,	'55
Bowlin, James B.....	1847,	'51
Caruthers, Samuel.....	1853,	'55
Darby, John F.....	1851,	'53
Greene, James S.....	1847,	'51
Hall, Willard P.....	1847,	'53

	From	To
Jameson, John.....	1847,	'49
Lamb, Alfred W.....	1858,	'55
Lindley, John J.....	1853,	'55
Miller, John G.....	1853,	'55
Oliver, Mordecai.....	1853,	'55
Phelps, John S.....	1847,	'55
Porter, Gilchrist.....	1851,	'53

MICHIGAN.

Senators

Cass, Lewis	1849,	'57
Felch, Alpheus	1847,	'58
Fitzgerald, Thomas H.....	1848,	'49
Stuart, Charles E.....	1853,	'59

Representatives

Bingham, K. S.	1849,	'51
Buel, Alexander W.	1849,	'51
Clark, Samuel.	1853,	'55
Conger, James L.	1851,	'53
McClclland, Robert.	1847,	'49
Noble, David A.	1853,	'55
Penniman, Ebenezer J.	1851,	'53
Sprague, William.	1849,	'51
Stevens, Hester L.	1853,	'55
Stuart, David.	1853,	'55
Stuart, Charles E.	1847,	'49
	1851,	'53

TEXAS

Senators

Houston, Samuel.....	1858,	'59
Rusk, Thomas J.	1851,	'57

Representatives.

Bell, Peter H.	1853,	'55
Howard, Volney E.	1849,	'53
Kaufman, David S.	1846,	'51
Pillsbury, Timothy	1846,	'49
Scurry, Richardson	1851,	'53
Smythe, George W.	1853,	'55

IOWA

Senators

Dodge, Augustus C.....	1848,	'55
Jones, George W.....	1848.	'59

Representatives.

Clark, Lincoln.....	1851,	'53
Cook, John P.....	1853,	'55
Hastings, L. Clinton.....	1846,	'47
Henn, Bernhardt.....	1853,	'55
Leffler, Shepherd.....	1846,	'51

	From	To
Miller, Daniel T.....	1850,	'51
Thompson, William	1847,	'51

WISCONSIN.

Senators.

Dodge, Henry	1848,	'57
Walker, Isaac P.....	1848,	'55

Representatives

Cole, Orasmus.....	1849,	'51
Darling, Mason C.....	1848,	'49
Doty, James D.....	1849,	'53
Durkee, Charles.....	1849,	'53
Eastman, Benjamin C.....	1851,	'55
Lynde, William Pitt.....	1848,	'49
Macy, John B.....	1853,	'55
Wells, Daniel, jr.....	1853,	'55

CALIFORNIA

Senators

Fremont, John C.....	1850,	'51
Gwin, William M.....	1850,	'55
Weller, John B.....	1851.	'57

Representative

Gilbert, Edward.....	1850,	'51
Latham, Milton S.....	1853,	'55
M'Corkle, Joseph W.....	1851,	'53
M'Dougall, James A.....	1853,	'55
Marshall, Edward C.....	1851,	'53
Wright, George H.....	1850,	'51

DELEGATES FROM TERRITORIES

Oregon.—1848.

Lane, Joseph.....	1851,	'55
Thurston, Samuel B.....	1849,	'51

Minnesota—1849.

Rice, Henry M.....	1853,	'55
Sibley, Henry H.....	1849,	'53

New Mexico.—1850.

Weightman, R. C.	1851,	'53
Gallegos, Jose Manuel	1853,	'55

Utah—1850.

Bernhisel, John M.	1851	'55
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Washington.—1858.

Lancaster, Columbia.....1854 55

SESSIONS OF CONGRESS.

Table showing the Commencement, Close, and Duration of each Session of Congress, the Number of Acts and Resolutions passed, and of Bills vetoed or retained by the Executive, and the Speakers of the House of Representatives. [From the American Almanac.]

Congress.	Session.	Session.		Days' duration.	Acts passed.	Vetoes.	Speakers.
		Commenced.	Terminated.				
1	1	March 4, 1789	Sept. 29, 1789	210	29		
	2	Jan'y 4, 1790	Aug. 13, 1790	221	49		F. A. Muhlenberg, Penn.
	3	Dec. 6, 1790	March 3, 1791	88	29		
2	1	Oct. 24, 1791	May 8, 1792	198	45	1	Jon. Trumbull, Ct.
	2	Nov. 5, 1792	Mar. 2, 1793	118	32		
	1	Dec. 2, 1793	June 9, 1794	190	66		F. A. Muhlenberg.
3	2	Nov. 3, 1794	Mar. 3, 1795	121	53		
	1	Dec. 7, 1795	June 1, 1796	178	55		Jona. Dayton, N. J.
4	2	Dec. 5, 1796	Mar. 3, 1797	89	30	1	
	1	May 15, 1797	July 10, 1797	57	17		Jona. Dayton.
5	2	Nov. 13, 1797	July 16, 1798	246	90		
	3	Dec. 3, 1798	Mar. 3, 1799	91	49		T. Sedgwick, Mass.
	1	Dec. 2, 1799	May 14, 1800	165	76		
6	2	Nov. 17, 1800	Mar. 3, 1801	107	36		Nath. Macon, N. C.
	1	Dec. 7, 1801	May 3, 1802	148	55		
	2	Dec. 6, 1802	Mar. 3, 1803	88	40		Nath. Macon.
8	1	Oct. 17, 1803	Mar. 27, 1804	163	62		
	2	Nov. 5, 1804	Mar. 3, 1805	119	46		Nath. Macon.
	1	Dec. 2, 1805	Apr. 21, 1806	141	46		
9	2	Dec. 1, 1806	Mar. 3, 1807	93	49		J. B. Varnum, Mass.
	1	Oct. 26, 1807	Apr. 25, 1808	183	68		
10	2	Nov. 7, 1808	Mar. 3, 1809	117	37		
	1	May 22, 1809	June 28, 1809	38	17		J. B. Varnum.
11	2	Nov. 27, 1809	May 1, 1810	156	51		
	3	Dec. 3, 1810	Mar. 3, 1811	91	45	2	Henry Clay, Ky.
12	1	Nov. 4, 1811	July 6, 1812	246	142	1	Henry Clay.
	2	Nov. 2, 1812	Mar. 3, 1813	122	66		Lang. Cheves, S. C.
13	1	May 24, 1813	Aug. 2, 1813	71	59		
	2	Dec. 6, 1813	Apr. 18, 1814	134	99		Henry Clay.
	3	Sept. 19, 1814	Mar. 3, 1815	168	113	1	
14	1	Dec. 4, 1815	Apr. 30, 1816	149	181		Henry Clay.
	2	Dec. 2, 1816	Mar. 3, 1817	93	117		
15	1	Dec. 1, 1817	Apr. 20, 1818	151	142		Henry Clay.
	2	Nov. 16, 1818	Mar. 3, 1819	108	114		Henry Clay.
16	1	Dec. 6, 1819	May 15, 1820	162	143		J. W. Taylor, N. Y.
	2	Nov. 13, 1820	Mar. 3, 1821	111	65		
17	1	Dec. 3, 1821	May 8, 1822	157	133	1	P. P. Barbour, Va.
	2	Dec. 2, 1822	Mar. 3, 1823	92	106		
18	1	Dec. 1, 1823	May 27, 1824	179	212		Henry Clay.
	2	Dec. 6, 1824	Mar. 3, 1825	88	124		
19	1	Dec. 5, 1825	May 22, 1826	169	162		John W. Taylor.
	2	Dec. 4, 1826	Mar. 3, 1827	90	103		
20	1	Dec. 3, 1827	May 26, 1828	176	158		A. Stevenson, Va.
	2	Dec. 1, 1828	Mar. 3, 1829	93	67		
21	1	Dec. 7, 1829	May 31, 1830	176	243	4	A. Stevenson.
	2	Dec. 6, 1830	Mar. 3, 1831	88	126		
22	1	Dec. 5, 1831	July 14, 1832	223	311	3	A. Stevenson.
	2	Dec. 3, 1832	Mar. 3, 1833	91	147	1	A. Stevenson.
23	1	Dec. 2, 1833	June 30, 1834	211	277	1	John Bell, Tenn.
	2	Dec. 1, 1834	Mar. 3, 1835	93	113		
24	1	Dec. 7, 1835	July 4, 1836	211	377	1	Jas. K. Polk, Tenn.
	2	Dec. 5, 1836	Mar. 3, 1837	89	81		
25	1	Sept. 4, 1837	Oct. 16, 1837	43	11		James K. Polk.
	2	Dec. 4, 1837	July 9, 1838	218	277		
26	3	Dec. 3, 1838	Mar. 3, 1839	91	249		R. M. T. Hunter, Va.
	1	Dec. 2, 1839	July 21, 1840	233	106		
27	2	Dec. 7, 1840	Mar. 3, 1841	87	41		
	1	May 31, 1841	Sept. 13, 1841	106	30	3	John White, Ken.
	2	Dec. 6, 1841	Aug. 31, 1842	269	299	4	
28	3	Dec. 5, 1842	Mar. 3, 1843	89	186		
	1	Dec. 4, 1843	June 17, 1844	196	188		John W. Jones, Va.
	2	Dec. 2, 1844	Mar. 3, 1845	91	93	2	
29	1	Dec. 1, 1845	Aug. 10, 1846	253	185	2	John W. Davis, Ind.
	2	Dec. 7, 1846	Mar. 3, 1847	87	124		

1544 VOTES FOR PRESIDENTS AND VICE-PRESIDENTS, FROM 1789 TO 1849.

VOTES FOR PRESIDENTS AND VICE-PRESIDENTS, FROM 1789 TO 1849.

	Me.	N. H.	Vt.	Mass.	H. I.	Conn.	N. Y.	N. J.	Penn.	Del.	Md.	Va.	N. C.	B. C.	Geo.	Ala.	Miss.	La.	Tenn.	Ky.	Ohio.	Ind.	Ill.	Mo.	Ark.	Mich.	Total.
1789.		5	10	10		7		6	10	3	6	10		7	5												69
		5				5		1	8		5															34	
						2		5		3	6	5		7	5											35	
1793.		6	4	16	4	9	12	7	15	3	8	21	12	7	4					4							132
		6	4	16	4	9	12	7	14	3	8	21	12	6	4					ac						77	
							12		1			21	12	20	4											50	
1797.		6	4	16	4	9	12	7	1	3	7	1	1													71	
							14	4	14	4	4	20	11	8	4					3	4					68	
			4	13	4	4	12	7	2	3	4	1	1	8												59	
1797.							13		13		3	1	6							3	4						30
		6		3	4	5					2	19	5		4											48	
1801.		6	4	16	4	9	12	7	8		5	21	8	8	4					3	4						73
							12		7	3	5	4	4													65	
		6	4	16	3	9	12	7	7	3	5	21	8	8	4					3	4					73	
1805.																											64
		7	6	19	4	9	19	8	20		9	24	14	10	6					5	8	3				162	
																										14	
1809.																											162
		7	6	19	4	9	13	8	20	3	2	24	14	10	6					5	7	3				14	
							ac	8	20		9	24	11	10	6					5	7	3				122	
1813.							ac	8	20	3	2	24	11	10	6					5	7	3					47
		7	6	19	4	9	13	8	20	3	2	24	11	10	6											113	
		7	ac	19	4	9	ac																				47
1817.																											128
		8	22	4	9	29	8	8	25		6	25	15	11	8					3	8	12	7				89
		1	8	2	4	9	29	8	25	4	5	25	15	11	8					3	8	12	7				131
1821.																											86
		8	8	23	4	9	29	8	25		8	25	15	11	8												183
		8	8	8	4	ac	29	8	25	ac	8	25	15	11	8					3	8	12	8				34
V. Pres.																											183
		8	8	23	4	9	29	8	25		8	25	15	11	8					3	8	12	8				33
		9	15	8	4	9	29	8	25	ac	11	25	15	11	8					3	8	12	8				231
V. Pres.																											318
		9	7ac	8	7ac	4	29	8	25		10ac	25	15	11	8					3	8	12	8				318
		9	7ac	8	7ac	4	29	8	25		10ac	25	15	11	8					3	8	12	8				318

VOTES FOR PRESIDENTS AND VICE-PRESIDENTS, FROM 1789 TO 1849. 1545

	Me.	N. H.	Vt.	Mass.	R. I.	Conn.	N. Y.	N. J.	Penn.	Del.	Md.	Va.	N. C.	S. C.	Geo.	Ala.	Miss.	La.	Tenn.	Ky.	Ohio.	Ind.	Ills.	Mo.	Ark.	Mich.	Flor.	Tex.	Iowa.	Wis.	Total	
1825. Pres. V. Pres.	9	8	7	15	4	8	26	1	26	1	3	3	124	15	11	5	3	5	11	7	16	5	3	3								99
<i>Vote in the house of representatives, by states.</i>																																
1829. Pres. V. Pres.	1	8	7	15	4	8	18	1	1	1	5	1	12	15	11	5	3	5	11	14	16	5	3	3								178
1833. Pres. V. Pres.	10	7	8	14	4	8	42	8	30	3	5	5	24	15	11	2	5	3	5	11	14	16	5	3	3							219
1837. Pres. V. Pres.	10	7	8	14	4	8	42	8	30	3	5	5	24	15	11	2	5	3	5	11	14	16	5	3	3							219
1841. Pres. V. Pres.	10	7	7	14	4	8	42	8	30	3	10	23	15	11	7	4	5	17	15	21	9	5	4	3	3							234
1845. Pres. V. Pres.	9	6	6	12	4	6	36	7	26	3	8	17	11	11	10	9	6	6	13	12	23	12	9	7	3	5						234
1849. Pres. V. Pres.	9	6	6	12	4	6	36	7	26	3	8	17	11	11	10	9	6	6	13	12	23	12	9	7	3	5						234
1853. Pres. V. Pres.	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	23	11	9	4	6	3	4	4	4	4	5	254

California gave four votes for Pierce and King which are included in the above total.

RECAPITULATION AND REMARKS.

1st Term, 1789. Electors 69, and 69 votes for G. Washington. J. Adams had 34; John Jay (N. J. 5, Del. 3, Va. 1) 9; R. H. Harrison (Md. 6) 6; J. Rutledge (S. C. 6) 6; J. Hancock (Pa. 2, Va. 1, S. C. 1) 4; G. Clinton (Va. 3) 3; S. Huntington (Ct. 2) 2; John Milton (Ga. 2) 2; J. Armstrong (Ga. 1) 1; Ed. Telfair (Ga. 1) 1; B. Lincoln (Ga.) 1—total 69. Three states (18) did not vote, viz, N. York 8, had not passed an electoral law; R. Island 3, and N. Carolina 7, had not adopted the constitution.

2d, 1793. Electors 135. 132 votes for G. Washington, and 3 (Md. 2, S. C. 1) vacancies. J. Adams received 77 votes; G. Clinton 50; Th. Jefferson (Ky. 4) 4; A. Burr (S. C. 1) 1—total 132.

3d, 1797. Electors 138. J. Adams received 71 votes; Th. Jefferson 68; Th. Pinckney 59; A. Burr 30; S. Adams (Va. 15) 15; Ol. Ellsworth (N. H. 6, Mass. 1, R. I. 4) 11; G. Clinton (Va. 3, Ga. 4) 7; John Jay (Ct. 5) 5; James Iredel (N. C. 3) 3; G. Washington (Va. 1, N. C. 1) 2; J. Henry (Md. 2) 2; S. Johnson (Mass. 2) 2; Ch. C. Pinckney (N. C. 1) 1.

4th, 1801. Electors 138. Th. Jefferson received 73 votes; A. Burr 73; J. Adams 65; Ch. C. Pinckney 64; John Jay (R. I. 1) 1. The election was carried to the house of representatives, and Mr. Jefferson was, on the 36th ballot, chosen president by ten states, N. Y., N. J., Pa., Md., Va., N. C., Ga., Tenn., Ky., Vt.; and Mr. Burr, vice-president. After this the constitution was altered, so as to require the president and vice-president to be separately voted for.

5th, 1805. For a full view of the votes see table.

6th, 1809. For *President*: J. Madison 122 votes; Ch. C. Pinckney 47; G. Clinton (N. Y. 6) 6; vacancy (Ky.)—total 176. For *Vice-President*: G. Clinton 113 votes; Rufus King 47; J. Langdon (Vt. 6, Ohio 3) 9; J. Madison (N. Y. 3) 3; J. Monroe (N. Y. 3) 3; 1 vacancy (Ky.)—total 176.

7th, 1813. See table. One vacancy in Ohio.

8th, 1817. For *President*: J. Monroe 183 votes; Rufus King 34; 4 vacancies (Del. 1, Md. 3) 4—total 221. For *Vice-President*: Daniel D. Tompkins 183 votes; John E. Howard (Mass. 22) 22; James Ross (Ct. 5) 5; J. Marshall (Ct. 4) 4; R. G. Harper (Del. 3) 3; 4 vacancies (Del. 1, Md. 3)—total 221.

9th, 1821. For *President*: J. Monroe, 231; J. Q. Adams (N. H. 1) 1—total 232. For *Vice-President*: D. D. Tompkins 218; R. Stockton (Mass. 8) 8; D. Rodney (Del. 4) 4; R. Rush (N. H. 1) 1; R. G. Harper (Md. 1) 1—total 232. 3 vacancies.

10th, 1825. For *President*: A. Jackson 99 votes, J. Q. Adams 84; Wm. H. Crawford 41; Henry Clay 37—total 261. Mr. Adams was elected by the house of representatives. See table. For *Vice-President*: J. C. Calhoun 182; N. Sanford 30; N. Macon (Va. 24) 24; A. Jackson (N. H. 1, Ct. 8, Md. 1, Mo. 3) 13; M. Van Buren (Ga. 9) 9; Henry Clay (Del. 2) 2; 1 not voting (R. I.) 1—total 260.

11th, 1829. See table.

12th, 1833. For *President*: A. Jackson 219 votes; Henry Clay 49; J. Floyd (S. C. 11) 11; W. Wirt (Vt. 7) 7; 2 vacancies (Md.)—total 288. For *Vice-President*: M. Van Buren 189; John Sergeant 49; Wm. Wilkins (Pa. 30) 30; Henry Lee (S. C. 11) 11; Amos Ellmaker (Vt. 7) 7—total 286. 2 vacancies.

13th, 1837. For *President*: M. Van Buren 170; Wm. H. Harrison 73; Hugh L. White 26; Daniel Webster 14; W. P. Mangum 11—total 294. For *Vice-President*: R. M. Johnson 147; Francis Granger 77; John Tyler 47; Wm. Smith 23—total 294. R. M. Johnson was elected by the senate.

14th, 1841. For *President*: W. H. Harrison 234; M. Van Buren 60—total 294. For *Vice-President*: John Tyler 234; R. M. Johnson 48; L. W. Tazewell 11; J. Polk 1—total 294.

15th, 1845. For full vote see table. 16th, 1849. See table.

SUCCESSIVE ADMINISTRATIONS, FROM 1789 TO 1851.

FIRST ADMINISTRATION—1789 TO 1797.—EIGHT YEARS.

PRESIDENT: GEORGE WASHINGTON, *Virginia*.VICE-PRESIDENT: JOHN ADAMS, *Massachusetts*.

SECRETARIES OF STATE: Thomas Jefferson, of Va., Sept. 26, 1789; Edmund Randolph, of Va., Jan. 2, 1794; Timothy Pickering, of Pa., Dec. 10, 1795.

SECRETARIES OF THE TREASURY: Alexander Hamilton, of New York, Sept. 11, 1789; Oliver Wolcott, of Conn., Feb. 3, 1795.

SECRETARIES OF WAR: Henry Knox, of Mass., Sept. 12, 1789; Timothy Pickering, of Mass., Jan. 2, 1795; James M'Henry, of Md., Jan. 27, 1796.

SECRETARIES OF THE NAVY: No navy department during this administration.

POSTMASTERS-GENERAL: Samuel Osgood, of Mass., Sept. 26, 1789; Timothy Pickering, of Mass., Nov. 7, 1794; Joseph Habersham, of Ga., Feb. 25, 1795.

Years.	Expenditures.	Public Debt.	Total.
1789—The expenditures from 4th March, 1789, to 31st December, 1791, are			
1790	included in 1791.		
1791	\$1,921,589 52	\$5,285,949 50	\$7,207,539 02
1792	1,877,913 68	7,263,655 99	9,141,569 67
1793	1,710,070 26	5,819,505 29	7,529,575 55
1794	3,500,546 65	5,801,578 09	9,302,124 74
1795	4,350,658 04	6,084,411 61	10,435,069 65
1796	2,531,930 40	5,835,846 44	8,367,776 84
	<u>\$15,892,708 55</u>	<u>\$36,090,946 92</u>	<u>\$51,983,655 47</u>

SECOND ADMINISTRATION—1797 TO 1801.—FOUR YEARS.

PRESIDENT: JOHN ADAMS, *Massachusetts*.VICE-PRESIDENT: THOMAS JEFFERSON, *Virginia*.

SECRETARIES OF STATE: Timothy Pickering, continued in office; John Marshall, of Va., May 13, 1800.

SECRETARIES OF THE TREASURY: Oliver Wolcott continued in office; S. Dexter, of Mass., Dec. 31, 1800.

SECRETARIES OF WAR: James M'Henry continued in office; S. Dexter, of Mass., May 13, 1800; Roger Griswold, of Conn., Feb. 3, 1801.

SECRETARIES OF THE NAVY: George Cabot, of Mass., May 3, 1798, declined; Benjamin Stoddert, of Maryland, May 21, 1798.

POSTMASTER-GENERAL: Joseph Habersham, continued.

Years.	Expenditures.	Public Debt.	Total.
1797	\$2,833,590 96	\$5,792,421 82	\$8,626,012 78
1798	4,623,223 54	3,990,294 14	8,613,517 68
1799	6,480,166 72	4,596,876 78	11,077,043 50
1800	7,411,369 97	4,578,369 95	11,989,739 92
	<u>\$21,348,351 19</u>	<u>\$18,957,962 69</u>	<u>\$40,306,313 88</u>

THIRD ADMINISTRATION—1801 TO 1809.—EIGHT YEARS.

PRESIDENT: THOMAS JEFFERSON, *Virginia*.VICE-PRESIDENTS: AARON BURR, *New York*; GEORGE CLINTON, *New York*.

SECRETARY OF STATE: James Madison, of Virginia, March 5, 1801.

SECRETARIES OF THE TREASURY: S. Dexter continued in office; Albert Gallatin, of Pa., Jan. 26, 1802.

SECRETARY OF WAR: Henry Dearborn, of Mass., March 4, 1801.

SECRETARIES OF THE NAVY: Benjamin Stoddert continued in office; Robert Smith, of Maryland, Jan. 26, 1802. Jacob Crowninshield, of Mass., March 2, 1805.

POSTMASTERS-GENERAL: Joseph Habersham continued in office; Gideon Granger, Conn., Jan. 26, 1802.

Years.	Expenditures.	Public Debt.	Total.
1801	\$4,981,669 90	\$7,291,707 04	\$12,273,376 94
1802	3,737,079 91	9,539,004 76	13,276,084 67
1803	4,002,824 24	7,256,159 43	11,258,983 67
1804	4,452,857 91	8,171,787 45	12,624,645 36
1805	6,357,234 62	7,369,889 79	13,727,124 41
1806	6,080,209 36	8,989,884 61	15,070,093 97
1807	4,984,572 89	6,307,720 10	11,292,292 99
1808	6,504,338 85	10,260,245 35	16,764,584 20
	<hr/> \$41,100,787 68	<hr/> \$65,186,398 53	<hr/> \$106,287,186 21

FOURTH ADMINISTRATION—1809 TO 1817.—EIGHT YEARS.

PRESIDENT: JAMES MADISON, *Virginia*.

VICE-PRESIDENTS: GEORGE CLINTON, *New York*; ELBRIDGE GERRY, *Mass.*

SECRETARIES OF STATE: Robert Smith, of Md., 6th March, 1809; James Monroe, of Va., Nov. 25, 1811.

SECRETARIES OF THE TREASURY: Albert Gallatin continued in office; George W. Campbell, of Tenn., Feb. 9, 1814; Alexander J. Dallas, of Pa., Oct. 6, 1814.

SECRETARIES OF WAR: Wm. Eustis, of Mass., March 7, 1809; John Armstrong, of N. Y., Jan. 19, 1813; James Monroe, of Va., Sept. 26, 1814; Wm. H. Crawford, of Ga., March 2, 1815.

SECRETARIES OF THE NAVY: Paul Hamilton, of S. C., March 7, 1809; William Jones, of Pa., Jan. 12, 1813; Benjamin W. Crowninshield, of Mass., Dec. 17, 1814.

POSTMASTERS-GENERAL: Gideon Granger continued in office; R. J. Meigs, of Ohio, March 17, 1814.

Years	Expenditures.	Public Debt.	Total.
1809	\$7,414,672 14	\$6,452,554 16	\$13,867,226 30
1810	5,311,082 28	8,008,904 46	13,319,986 74
1811	5,592,604 86	8,009,204 05	13,601,808 91
1812	17,829,498 70	4,449,622 45	22,279,121 15
1813	28,082,391 92	11,108,128 44	39,190,520 36
1814	30,127,686 28	7,900,543 94	38,028,230 22
1815	26,953,571 00	12,628,922 35	39,582,493 35
1816	23,373,432 58	24,871,062 93	48,244,495 51
	<hr/> \$144,684,939 76	<hr/> \$83,428,942 78	<hr/> \$228,113,882 54

FIFTH ADMINISTRATION—1817 TO 1825.—EIGHT YEARS.

PRESIDENT: JAMES MONROE, *Virginia*.

VICE-PRESIDENT: DANIEL D. TOMPKINS, *New York*.

SECRETARY OF STATE: John Q. Adams, of Mass., March 3, 1817.

SECRETARY OF THE TREASURY: Wm. H. Crawford, of Ga., March 5, 1817.

SECRETARIES OF WAR: Isaac Shelby, of Ky., March 5, 1817, declined the appointment; John C. Calhoun, of S. C., Dec. 16, 1817.

SECRETARIES OF THE NAVY: Benjamin W. Crowninshield, continued in office Smith Thompson, of N. Y., Nov. 30, 1818; S. L. Southard, of N. J., Dec. 9, 1823.

POSTMASTERS-GENERAL: Return J. Meigs continued in office; John McLean, of Ohio, Dec. 9, 1823.

Years.	Expenditures.	Public Debt.	Total.
1817	\$15,454,609 92	\$25,423,036 12	\$40,877,646 04
1818	13,908,673 78	21,296,201 62	35,104,875 40
1819	16,300,273 44	7,703,926 29	24,004,199 73
1820	13,134,530 57	8,628,494 28	21,763,024 85
1821	10,723,479 07	8,367,093 62	19,090,572 69
1822	9,827,580 55	7,848,949 12	17,676,529 67
1823	9,784,154 59	5,530,016 41	15,314,171 00
1824	15,330,144 71	16,568,393 76	31,898,538 47
	<hr/> \$104,363,446 63	<hr/> \$101,866,111 22	<hr/> \$206,229,557 85

SIXTH ADMINISTRATION—1824 TO 1829.—FOUR YEARS.

PRESIDENT: JOHN QUINCY ADAMS, *Massachusetts*.VICE-PRESIDENT: JOHN C. CALHOUN, *South Carolina*.

SECRETARY OF STATE: Henry Clay, of Ky., March 8, 1825.

SECRETARY OF THE TREASURY: Richard Rush, of Penn., March 7, 1825.

SECRETARIES OF WAR: Jas. Barbour, of Va., March 7, 1825; Peter B. Porter, of N. Y., May 26, 1828.

SECRETARY OF THE NAVY: Samuel L. Southard, continued in office.

POSTMASTER-GENERAL: John M'Lean continued in office.

Years	Expenditures.	Public Debt.	Total.
1825	\$11,490,459 94	\$12,095,344 78	\$23,585,804 72
1826	13,062,316 27	11,041,082 19	24,103,398 46
1827	12,653,096 65	10,003,668 39	22,656,765 04
1828	13,296,041 45	12,163,438 07	25,459,479 52
	<hr/> \$50,501,914 31	<hr/> \$45,303,533 43	<hr/> \$95,805,447 74

SEVENTH ADMINISTRATION—1829 TO 1837.—EIGHT YEARS.

PRESIDENT: ANDREW JACKSON, *Tennessee*.VICE-PRESIDENTS: JOHN C. CALHOUN, *South Carolina*; MARTIN VAN BUREN, *New York*.

SECRETARIES OF STATE: Martin Van Buren, of New York, March 6, 1829; Ed. Livingston, of La., 1831; Louis M'Lane, of Del., 1833; John Forsyth, of Ga., 1834.

SECRETARIES OF THE TREASURY: Samuel D. Ingham, of Pa., March 6, 1829; Louis M'Lane, of Del., 1831; Wm. J. Duane, of Pa., 1833; Roger B. Taney, of Md., 1833—not confirmed by the senate; Levi Woodbury, of N. H., 1834.

SECRETARIES OF WAR: John H. Eaton, of Tenn., March 9, 1829; Lewis Cass, of Ohio, 1831.

SECRETARIES OF THE NAVY: John Branch, of N. C., March 9, 1829; Levi Woodbury, of N. H., 1831; Mahlon Dickerson, of N. J., 1834.

POSTMASTERS-GENERAL: Wm. T. Barry, of Ky., March 9, 1829; Amos Kendall, of Ky., 1835.

Years.	Expenditures.	Public Debt.	Total.
1829	\$12,660,490 62	\$12,383,867 78	\$25,044,358 40
1830	13,229,533 33	11,355,748 22	24,585,281 55
1831	13,864,067 90	16,174,378 22	30,038,446 12
1832	16,516,388 77	17,840,309 29	34,356,698 06
1833	22,713,755 11	1,543,543 38	24,257,298 49
1834	18,425,417 25	6,176,565 19	24,601,982 44
1835	17,514,950 28	58,191 28	17,573,141 56
1836	29,621,807 82		29,621,807 82
	<hr/> \$144,546,404 08	<hr/> \$65,532,603 36	<hr/> \$210,079,007 44

EIGHTH ADMINISTRATION—1837 TO 1841.—FOUR YEARS.

PRESIDENT: MARTIN VAN BUREN, *New York*.VICE-PRESIDENT: RICHARD M. JOHNSON, *Kentucky*.

SECRETARY OF STATE: John Forsyth, appointed June 27, 1834, resigned March 3, 1841.

SECRETARY OF THE TREASURY: Levi Woodbury, appointed June 27, 1834, resigned March 2, 1841.

SECRETARY OF WAR: Joel R. Poinsett, appointed March 7, 1837, resigned March 2, 1841.

SECRETARIES OF THE NAVY: Mahlon Dickerson, appointed June 30, 1834, resigned June, 1838; James K. Paulding, appointed from June 30, 1838; resigned March 2, 1841.

POSTMASTERS-GENERAL: Amos Kendall, appointed May 1, 1835, resigned; John M. Niles, appointed from May 25, 1840, resigned March 1, 1841.

Years	Expenditures.	Public Debt.	Total
1837	\$31,793,587 24	\$21,823 91	\$31,815,410 15
1838	31,578,785 08	5,605,720 27	37,184,505 35
1839	25,488,547 73	11,127,987 42	36,616,534 15
1840	23,327,772 11	4,086,614 70	27,414,386 81
	<u>\$112,188,692 16</u>	<u>\$20,842,146 30</u>	<u>\$133,030,836 46</u>

NINTH ADMINISTRATION—1841 TO 1845.—FOUR YEARS.

PRESIDENT: GEN. WILLIAM HENRY HARRISON, *Ohio*. Died April 4, 1841.

VICE-PRESIDENT: JOHN TYLER, *Virginia*.

PRESIDENT: JOHN TYLER, *Virginia* (from April 4, 1841).

SECRETARIES OF STATE: Daniel Webster, appointed March 5, 1841, resigned May 8, 1843; Hugh S. Legaré, appointed May 9, 1843, died June 20, 1843; Abel P. Upshur, appointed June 24, 1843, died February 28, 1844; John Nelson, acting, February 29, 1844; John C. Calhoun, appointed March 6, 1844, resigned March 1, 1845.

SECRETARIES OF THE TREASURY: Thomas Ewing, appointed March 5, 1841, resigned; Walter Forward, appointed September 13, 1841, resigned; George M. Bibb, appointed June 15, 1844, resigned March 3, 1845.

SECRETARIES OF WAR: John Bell, appointed March 5, 1841, resigned; John C. Spencer, appointed October 12, 1841, transferred to treasury department; James M. Porter, appointed March 8, 1843, rejected by the senate; William Wilkins, appointed February 15, 1844, resigned March 3, 1845.

SECRETARIES OF THE NAVY: George E. Badger, appointed March 5, 1841, resigned; Abel P. Upshur, appointed September, 13, 1841, transferred to department of state; David Henshaw, appointed July 24, 1843, rejected by the senate; Thomas W. Gilmer, appointed February 15, 1844, died February 28, 1844; John Y. Mason, appointed March 14, 1844, resigned March 3, 1845.

POSTMASTERS-GENERAL: Francis Granger, appointed March 6, 1841, resigned; Charles A. Wickliffe, appointed September 13, 1841, resigned March 3, 1845.

Years	Expenditures.	Public Debt.	Total.
1841	\$26,196,840 29	\$5,600,689 74	\$31,797,530 03
1842	24,361,336 59	8,575,539 94	32,936,876 53
1st Jan. to Jan. 30,			
1843	11,256,508 60	861,596 55	12,118,105 15
For the year ending Jan. 30,			
1844	20,650,198 01	2,991,802 84	33,642,010 85
From July to Dec. 31,			
1844	11,700,159 50	1,538,478 06	13,238,637 56
	<u>\$94,164,952 99</u>	<u>\$29,568,207 13</u>	<u>\$123,733,160 12</u>

TENTH ADMINISTRATION—1845 TO 1849.

PRESIDENT: JAMES KNOX POLK, *Tennessee*.

VICE-PRESIDENT: GEORGE M. DALLAS, *Pennsylvania*.

SECRETARY OF STATE: James Buchanan, of Pennsylvania, appointed March 5, 1845.

SECRETARY OF THE TREASURY: Robert J. Walker, of Mississippi, appointed March 5, 1845.

SECRETARY OF WAR: William L. Marcy, of New York, appointed March 5, 1845.

SECRETARY OF THE NAVY: George Bancroft, of Massachusetts, appointed March, 1845. JOHN Y. MASON, of Virginia, appointed 1846.

POSTMASTER-GENERAL: Cave Johnson, of Tennessee, appointed March 5, 1845.

Years	Expend. exclusive P. Debt.	Public Debt.
Years ending June 30. { 1845	\$21,370 049	\$24,256,495
{ 1846	26,813,290	45,659,659
{ 1847	55,929,093	65,804,450
{ 1848	42,811,970	64,704,693
	<u>\$146,724,402</u>	

ELEVENTH ADMINISTRATION—1849 to 1853.

PRESIDENT: ZACHARY TAYLOR, *Louisiana*. Died July 9, 1850.

VICE-PRESIDENT: MILLARD FILLMORE, *New York*.

PRESIDENT: MILLARD FILLMORE, *New York*. Succeeded Zachary Taylor, on his death, July 9, 1850.

SECRETARIES OF STATE: John M. Clayton, of Delaware, appointed March 7, 1849, resigned July 10, 1850; Daniel Webster, of Massachusetts, appointed July 20, 1850, died October 24, 1852; Edward Everett, of Massachusetts, appointed November, 1852.

SECRETARIES OF THE TREASURY: William M. Meredith, of Pennsylvania, appointed March 7, 1849, resigned July 10, 1850; Thomas Corwin, of Ohio, appointed July 20, 1850.

SECRETARIES OF WAR: George W. Crawford, of Georgia, appointed March 7, 1849, resigned July 10, 1850; Charles M. Conrad, of Louisiana, appointed August 15, 1850.

SECRETARIES OF THE NAVY: William B. Preston, of Virginia, appointed March 7, 1849, resigned July 10, 1850; William A. Graham, of North Carolina, appointed July 20, 1850, resigned 1852; John P. Kennedy, of Maryland, appointed 1852.

SECRETARIES OF THE INTERIOR: Thomas Ewing, of Ohio, appointed March 7, 1849, resigned July 10, 1850; Alexander H. H. Stuart, of Virginia, appointed September 12, 1850.

POSTMASTERS-GENERAL: Jacob Collamer, of Vermont, appointed March 7, 1849, resigned July 10, 1850; Nathan K. Hall, of New York, appointed July 20, 1850, resigned 1852; Samuel D. Hubbard, of Connecticut, appointed 1852.

ATTORNEYS-GENERAL: Reverdy Johnson, of Maryland, appointed March 7, 1849, resigned July 10, 1850; John J. Crittenden, of Kentucky, appointed July 20, 1850.

Year.	Aggregate Receipts.	Aggregate Expenditures.	Public Debt.
1849	\$31,074,347	\$57,631,667	\$64,704,693
1850	43,375,798	43,002,168	64,228,238
1851	52,312,979	48,005,879	62,560,395
1852	49,728,386	46,007,896	67,560,395
	\$194,647,610	\$176,491,510	

TWELFTH ADMINISTRATION—1853 to 1857.

PRESIDENT: FRANKLIN PIERCE, *New Hampshire*.

VICE-PRESIDENT: WILLIAM R. KING, *Alabama*. Died April 18, 1853.

SECRETARY OF STATE: William L. Marcy, of New York, appointed March 7, 1853.

SECRETARY OF THE TREASURY: James Guthrie, of Kentucky, appointed March 7, 1853.

SECRETARY OF WAR: Jefferson Davis, of Mississippi, appointed March 7, 1853.

SECRETARY OF THE NAVY: James C. Dobbin, of North Carolina, appointed March 7, 1853.

SECRETARY OF THE INTERIOR: Robert McClelland, of Michigan, appointed March 7, 1853.

POSTMASTER-GENERAL: James Campbell, of Pennsylvania, appointed March 7, 1853.

ATTORNEY-GENERAL: Caleb Cushing, of Massachusetts, appointed March 7, 1853.

PRESIDENTS OF THE SENATE—*Pro tem*.

(Omitted on page 1550.)

5th Congress.	{ Jacob Read, of South Carolina—after W. Bradford.
	{ John Lawrence, of New York—after T. Sedgwick.
6th "	{ Uriah Tracy, of Connecticut—after S. Livermore.
	{ John E. Howard, of Maryland—after U. Tracy.
13th "	{ Joseph B. Varnum, of Massachusetts—after W. H. Crawford.
31st "	{ William R. King, of Alabama.
32d "	{ William R. King, of Alabama.
33d "	{ David R. Atchison, of Missouri.

SUPREME COURT OF THE UNITED STATES.

Chief Justices of the Supreme Court, since 1789.

John Jay, of New York, commissioned September 26, 1789.
 William Cushing, of Massachusetts, January 27, 1796.
 Oliver Ellsworth, of Connecticut, March 4, 1796.
 John Jay,* of New York, December 19, 1800.
 John Marshall, of Virginia, January 31, 1801.
 Roger B. Taney, of Maryland, March 15, 1836.

Associate Justices of the Supreme Court, since 1789.

John Rutledge, of South Carolina, September 26, 1789.
 William Cushing, of Massachusetts, September 27, 1789.
 Robert H. Harrison, of Maryland, September 28, 1789.
 James Wilson, of Pennsylvania, September 29, 1789.
 John Blair, of Virginia, September 30, 1789.
 James Iredell, of North Carolina, February 10, 1790.
 Thomas Johnson, of Maryland, November 7, 1791.
 William Patterson, of New York, March 4, 1793.
 Samuel Chase, of Maryland, January 27, 1796.
 Bushrod Washington, of Virginia, December 20, 1798.
 William Johnson, of South Carolina, March 26, 1804.
 Brockholst Livingston, of New York, January 16, 1807.
 Thomas Todd, of Virginia, March 3, 1807.
 Levi Lincoln, of Massachusetts, January 7, 1811.
 John Quincy Adams,* of Massachusetts, February 22, 1811
 Gabriel Duval, of Maryland, November 18, 1811.
 Joseph Story, of Massachusetts, November 18, 1811.
 Smith Thompson, of New York, December 9, 1823.
 Robert Trimble, of Kentucky, March 9, 1826.
 John M'Lean, of Ohio, March 7, 1829.
 Henry Baldwin, of Pennsylvania, January 6, 1830.
 James M. Wayne, Georgia, January, 1835.
 Philip P. Barbour, of Virginia, March 15, 1836.
 William Smith,† of Alabama, March 8, 1837.
 John Catron, of Tennessee, March 8, 1837.
 John M'Kinley, of Alabama, September, 1837.
 Peter V. Daniel, of Virginia, March 3, 1841.
 Samuel Nelson, of New York, February, 1845.
 Levi Woodbury, of New Hampshire, January, 1846.

Attorneys-General of the United States, since 1789.

Edmund Randolph, of Virginia, September 26, 1789.
 William Bradford, of Pennsylvania, January 27, 1794.
 Charles Lee, of Virginia, December 10, 1795.
 Levi Lincoln, of Massachusetts, March 5, 1801.
 Robert Smith, of Maryland, March 3, 1805.
 John Breckenridge, of Kentucky, January 17, 1806.
 Cæsar A. Rodney, of Delaware, January 20, 1807.
 William Pinkney, of Maryland, December 11, 1811.
 Richard Rush, of Pennsylvania, February 10, 1814.
 William Wirt, of Virginia, December, 16, 1817.
 John M'Pherson Berrien, of Georgia, March 9, 1829.
 Roger B. Taney, of Maryland, December, 1831.
 Benjamin F. Butler, of New York, January, 1834.
 Felix Grundy, of Tennessee, August, 1838.
 Henry D. Gilpin, of Pennsylvania, January, 1840.
 John J. Crittenden, of Kentucky, March, 1841.
 Hugh S. Legaré, of South Carolina, September, 1841.
 John Nelson, of Maryland, July, 1843.
 John Y. Mason, of Virginia, March, 1845.
 Nathan Clifford, of Maine, 1846.
 Isaac Toucey, of Connecticut, 1848.

* declined the appointment. † Mr. Smith declined, and Judge M'Kinley was appointed.

PRESIDENTS OF THE SENATE.

VICE PRESIDENTS OF THE UNITED STATES.

<i>Congresses.</i>	<i>Elected.</i>	<i>Congresses.</i>	<i>Elected.</i>
1 to 4. John Adams -	1789	19 to 22. John C. Calhoun† -	1825
5 and 6. Thomas Jefferson -	1797	23 and 24. Martin Van Buren -	1833
7 and 8. Aaron Burr -	1801	25 and 26. Richard M. Johnson -	1837
9 to 12. George Clinton* -	1805	27. John Tyler† -	1841
13 and 14. Elbridge Gerry* -	1813	29 and 30. George M. Dallas -	1845
15 to 18. Daniel D. Tompkins -	1817	31. Millard Fillmore -	1849
		32. William R. King* -	1853

PRESIDENTS OF THE SENATE—*Pro tem.*

1st Congress.	John Langdon, of New Hampshire.
2d "	{ Richard Henry Lee, of Virginia.
	{ John Langdon, of New Hampshire.
3d "	{ Ralph Izard, of South Carolina.
	{ Henry Tazewell, of Virginia.
4th "	{ Samuel Livermore, of New Hampshire.
	{ William Bingham, of Pennsylvania.
	{ William Bradford, of Rhode Island.
5th "	{ Theodore Sedgwick, of Massachusetts.
	{ James Ross, of Pennsylvania.
6th "	{ Samuel Livermore, of New Hampshire.
	{ James Hillhouse, of Connecticut.
7th "	{ Abraham Baldwin, of Georgia.
	{ Stephen R. Bradley, of Vermont.
	{ John Brown, of Kentucky.
8th "	{ Jesse Franklin, of North Carolina.
	{ Joseph Anderson, of Tennessee.
9th "	{ Samuel Smith, of Maryland.
	{ Samuel Smith, "
	{ Samuel Smith, "
10th "	{ Stephen R. Bradley, of Vermont.
	{ John Milledge, of Georgia.
	{ Andrew Gregg, of Pennsylvania.
11th "	{ John Gaillard, of South Carolina.
	{ John Pope, of Kentucky.
12th "	{ William H. Crawford, of Georgia.
13th "	{ John Gaillard, of South Carolina.
14th "	{ John Gaillard, "
	{ John Gaillard, "
15th "	{ John Gaillard, "
	{ James Barbour, of Virginia.
16th "	{ James Barbour, "
	{ John Gaillard, of South Carolina.
17th "	{ John Gaillard, "
18th "	{ John Gaillard, "
19th "	{ Nathaniel Macon, of North Carolina.
20th "	{ Nathaniel Macon, "
	{ Samuel Smith, of Maryland.
21st "	{ Samuel Smith, "
	{ Littleton W. Tazewell, of Virginia.
22d "	{ Hugh L. White, of Tennessee.
	{ George Poindexter, of Mississippi.
23d "	{ John Tyler, of Virginia.
24th "	{ William R. King, of Alabama.
25th "	{ William R. King, "
26th "	{ William R. King, "
27th "	{ Samuel L. Southard, of New Jersey.
28th "	{ Willie P. Mangum, of North Carolina.
29th "	{ David R. Atchison, of Missouri.
30th "	{ David R. Atchison, of Missouri.

* Died in office.

† Resigned Dec. 23, 1852.

‡ Became president by death of Harrison

A TABLE OF IMPORTS AND EXPORTS OF THE UNITED STATES,

From the year 1791 to 1845, inclusive—together with the Excess of Imports or Exports for each year, and the Net Revenue accruing from our Imports during the same period.

Year.	Imports.	Exports.	Excess of Impts.	Excess of Expts.	Net Revenue.
1791.....	\$52,000,000	\$19,012,041	\$32,987,959	.....	\$4,399,473
1792.....	31,500,000	20,753,098	10,746,902	.....	3,443,070
1793.....	31,100,000	25,109,572	4,990,428	.....	4,255,306
1794.....	34,000,000	33,026,233	1,573,767	.....	4,801,065
1795.....	69,756,268	47,989,472	21,766,796	.....	5,588,461
1796.....	81,436,164	67,064,097	14,372,067	.....	6,567,987
1797.....	75,379,406	56,850,206	18,529,200	.....	7,549,649
1798.....	68,551,700	61,527,097	7,024,603	.....	7,106,061
1799.....	79,068,148	78,665,522	402,626	.....	6,610,449
1800.....	91,252,768	70,971,780	280,988	.....	8,080,932
1801.....	111,363,511	94,115,225	17,247,586	.....	10,750,779
1802.....	76,333,333	72,483,160	3,850,173	.....	12,438,235
1803.....	64,666,666	55,800,033	8,866,633	.....	10,479,417
1804.....	85,000,000	77,699,074	7,300,926	.....	11,098,565
1805.....	120,000,000	95,566,021	24,433,979	.....	12,936,487
1806.....	129,000,000	101,536,963	27,463,037	.....	14,667,698
1807.....	138,000,000	108,343,150	29,656,850	.....	15,845,521
1808.....	56,990,000	22,430,960	34,559,040	.....	16,363,550
1809.....	59,400,000	52,203,231	7,196,769	.....	7,296,020
1810.....	85,400,000	66,757,974	18,642,026	.....	8,583,309
1811.....	53,400,000	61,316,831	.....	7,916,831	13,313,222
1812.....	77,030,000	38,527,236	38,502,764	.....	8,958,777
1813.....	22,005,000	27,855,997	.....	5,850,997	13,224,623
1814.....	12,965,000	6,927,441	6,037,553	.....	5,998,772
1815.....	113,041,274	52,557,753	60,483,521	.....	7,282,942
1816.....	147,103,000	81,920,452	65,182,548	.....	36,306,874
1817.....	99,250,000	87,671,569	11,578,431	.....	26,283,348
1818.....	121,750,000	93,281,133	28,468,867	.....	17,176,385
1819.....	87,125,000	70,142,521	16,982,479	.....	20,283,608
1820.....	74,450,000	69,691,669	4,758,331	.....	15,005,612
1821.....	62,585,724	64,974,382	.....	2,389,658	15,155,418
1822.....	82,241,541	72,160,281	10,081,260	.....	21,219,116
1823.....	77,579,267	74,699,030	2,880,237	.....	17,717,830
1824.....	80,549,007	75,986,657	4,562,350	.....	20,215,059
1825.....	96,340,075	99,535,388	.....	3,195,313	25,387,904
1826.....	84,974,477	77,595,322	7,379,155	.....	18,997,478
1827.....	79,484,068	82,324,827	.....	2,840,759	22,376,046
1828.....	88,509,824	72,264,686	16,245,138	.....	24,890,337
1829.....	74,492,927	72,358,671	2,133,856	.....	22,296,512
1830.....	70,876,920	73,849,508	.....	2,972,588	22,833,573
1831.....	103,191,124	81,310,583	21,880,541	.....	30,312,851
1832.....	101,029,266	87,176,943	3,852,323	.....	21,488,890
1833.....	108,181,311	90,140,433	18,040,878	.....	14,797,782
1834.....	126,521,332	104,336,972	22,184,360	.....	13,458,111
1835.....	149,895,742	121,693,577	28,202,165	.....	21,552,272
1836.....	189,980,035	128,663,040	61,316,995	.....	26,325,839
1837.....	140,989,217	117,419,376	23,469,841	.....	13,315,129
1838.....	113,717,404	108,486,616	5,230,788	.....	15,373,238
1839.....	162,092,132	121,028,416	41,063,716	.....	20,560,439
1840.....	107,141,519	132,085,946	.....	24,944,427	10,159,339
1841.....	127,946,477	121,851,803	6,094,674	.....	15,516,589
1842.....	100,162,087	104,691,534	.....	4,529,447	12,780,173
1843 [9 months].....	64,763,799	84,346,480	.....	19,582,681	6,132,272
1844.....	108,435,035	111,200,046	.....	2,715,001	26,183,570
1845.....	117,254,564	114,646,606	.....	2,607,959	27,528,112
1846.....	121,691,797	113,488,516	8,203,281	.....	26,712,608
1847.....	146,545,638	158,648,622	.....	12,102,984	23,747,864
1848.....	154,977,928	154,436,436	941,492	.....	31,757,070
1849.....	147,857,439	145,755,820	2,101,619	.....	28,346,738
1850.....	178,138,318	151,898,720	26,239,598	.....	39,668,686

PUBLIC MINISTERS OF THE UNITED STATES, TO FOREIGN COUNTRIES, FROM 1789 TO 1846.

To Great Britain.

- Gouverneur Morris, of New Jersey, commissioner, October 13, 1789.
 Thomas Pinckney, of South Carolina, minister plenipotentiary, January 12, 1792.
 John Jay, of New York, envoy extraordinary, April 19, 1794.
 Rufus King, of New York, minister plenipotentiary, May, 20, 1796.
 James Monroe, of Virginia, minister plenipotentiary, April 18, 1803.
 James Monroe and William Pinkney, jointly and severally, ministers plenipotentiary and extraordinary, May 12, 1806.
 William Pinkney, of Maryland, minister plenipotentiary, May 12, 1806, renewed February 26, 1808.
 John Quincy Adams, of Massachusetts, envoy extraordinary and minister plenipotentiary, February 28, 1815.
 Richard Rush, of Pennsylvania, envoy extraordinary and minister plenipotentiary, December 16, 1817.
 Rufus King, of New York, envoy extraordinary and minister plenipotentiary, May 5, 1825.
 Albert Gallatin, of Pennsylvania, envoy extraordinary and minister plenipotentiary, May 10, 1826.
 James Barbour, of Virginia, envoy extraordinary and minister plenipotentiary, May 23, 1828.
 Louis M'Lane, of Delaware, envoy extraordinary and minister plenipotentiary, February 10, 1830.
 Martin Van Buren, of N. Y., envoy extraordinary and minister plenipotentiary, 1831.
 Aaron Vail, of New York, chargé d'affaires, 1832.
 Andrew Stevenson, of Virginia, envoy extraordinary and minister plenipotentiary, 1836.
 Edward Everett, of Massachusetts, envoy extraordinary and minister plenipotentiary, 1841.
 Louis M'Lane, of Maryland, envoy extraordinary and minister plenipotentiary, 1845.

To France.

- William Short, of Virginia, chargé d'affaires, April 6, 1790.
 Gouverneur Morris, of New Jersey, minister plenipotentiary, January 12, 1792.
 James Monroe, of Virginia, minister plenipotentiary, May 28, 1794.
 Charles Cotesworth Pinckney, of South Carolina, minister plenipotentiary, September 9, 1796.
 Charles Cotesworth Pinckney, Elbridge Gerry, and John Marshall, jointly and severally, envoys extraordinary and ministers plenipotentiary, June 5, 1797.
 Oliver Ellsworth, Patrick Henry, and William Vans Murray, envoys extraordinary and ministers plenipotentiary, February 26, 1799.
 William Richardson Davie, of North Carolina, in place of Patrick Henry, December 10, 1799.
 James A. Bayard, of Delaware, minister plenipotentiary, February 19, 1801.
 Robert R. Livingston, of New York, minister plenipotentiary, October 2, 1801.
 John Armstrong, of New York, minister plenipotentiary, June 30, 1804.
 Joel Barlow, of Connecticut, minister plenipotentiary, February, 27, 1811.
 William H. Crawford, of Georgia, minister plenipotentiary, April 9, 1813.
 Albert Gallatin, of Pennsylvania, envoy extraordinary and minister plenipotentiary, February 28, 1815.
 James Brown, of Louisiana, envoy extraordinary and minister plenipotentiary, December 9, 1823.
 William C. Rives, of Virginia, envoy extraordinary and minister plenipotentiary, February 10, 1830.
 Edward Livingston, of Louisiana, envoy extraordinary and minister plenipotentiary, 1833.
 Lewis Cass, of Ohio, envoy extraordinary and minister plenipotentiary, 1836.
 William R. King, of Alabama, envoy extraordinary and minister plenipotentiary, 1844.

To Spain.

- William Carmichael, of Maryland, chargé d'affaires, April 11, 1790.
 William Carmichael and William Short, commissioners, March 16, 1792.
 William Short, of Virginia, minister resident, May 28, 1794.
 Thomas Pinckney, of South Carolina, envoy extraordinary, November 24, 1794.
 David Humphreys, of Connecticut, minister plenipotentiary, May 20, 1796.
 Charles Pinckney, of South Carolina, minister plenipotentiary, June 6, 1801.
 James Monroe, of Virginia, minister extraordinary and plenipotentiary, October 14, 1804.
 James Bowdoin, of Massachusetts, minister plenipotentiary, November 22, 1804.
 George W. Erving, of Massachusetts, minister plenipotentiary, August 10, 1814.
 John Forsyth, of Georgia, minister plenipotentiary, February 16, 1819.
 Hugh Nelson, of Virginia, envoy extraordinary and minister plenipotentiary, June 15, 1823.
 Alexander Hill Everett, of Massachusetts, envoy extraordinary and minister plenipotentiary, March 9, 1825.
 Cornelius P. Van Ness, of Vermont, envoy extraordinary and minister plenipotentiary, February 10, 1830.
 William T. Barry, of Ky., envoy extraordinary and minister plenipotentiary, 1835.
 John H. Eaton, of Tenn., envoy extraordinary and minister plenipotentiary, 1836.
 Aaron Vail, of New York, chargé d'affaires, 1840.
 Washington Irving, of N. Y., envoy extraordinary and minister plenipotentiary, 1842.
 Romulus M. Saunders, of North Carolina, envoy extraordinary and minister plenipotentiary, 1846.

To the Netherlands.

- William Short, of Virginia, minister resident, January 16, 1792.
 John Quincy Adams, of Massachusetts, minister resident, May 30, 1794.
 William Vans Murray, of Maryland, minister resident, March 2, 1797.
 William Eustis, of Massachusetts, envoy extraordinary and minister plenipotentiary, December 10, 1814.
 Alexander H. Everett, of Massachusetts, chargé d'affaires, November 30, 1818.
 Christopher Hughes, of Maryland, chargé d'affaires, March 9, 1825.
 Albert Gallatin and William Pitt Preble, agents in the negotiation and upon the umpirage relating to the northeastern boundary of the United States, May 9, 1828.
 William Pitt Preble, of Maine, envoy extraordinary and minister plenipotentiary, February 10, 1830.
 Auguste Davezac, of Louisiana, chargé d'affaires, 1831.
 Harmanus Bleecker, of New York, chargé d'affaires, 1839.
 Christopher Hughes, of Maryland, chargé d'affaires, 1842.
 Auguste Davezac, of New York, chargé d'affaires, 1845.

To Portugal.

- David Humphreys, of Connecticut, minister resident, February 21, 1791.
 John Quincy Adams, of Massachusetts, minister plenipotentiary, May 30, 1796.
 William Smith, of South Carolina, minister plenipotentiary, July 10, 1797.
 Thomas Sumpter, of S. Carolina, minister plenipotentiary (in Brazil), March 7, 1809.
 John Graham, of Virginia, minister plenipotentiary (in Brazil), January 6, 1819.
 Henry Dearborn, senior, of New Hampshire, envoy extraordinary and minister plenipotentiary, May 7, 1822.
 Thomas L. L. Brent, of Virginia, chargé d'affaires, March 9, 1825.
 Edward Kavenagh, of Maine, chargé d'affaires, 1835.
 Washington Barrow, chargé d'affaires, 1841.
 Abraham Rencher, of North Carolina, chargé d'affaires, 1843.

To Prussia.

- John Quincy Adams, of Massachusetts, minister plenipotentiary, June 1, 1797.
 Henry Clay (secretary of state), special commissioner, with full power to conclude a treaty with the government of Prussia, April 18, 1828.
 Henry Wheaton, of Rhode Island, minister plenipotentiary, 1837.
 Andrew J. Donelson, of Tennessee, minister plenipotentiary, 1846.

To Austria.

- Henry A. Muhlenberg, of Pennsylvania, minister plenipotentiary, 1838.
 Daniel Jenifer, of Maryland, minister plenipotentiary, 1841
 William A. Stiles, of Georgia, chargé d'affaires, 1845.

To Russia.

- John Quincy Adams, of Massachusetts, minister plenipotentiary, June 27, 1809.
 James A. Bayard, of Delaware, envoy extraordinary and minister plenipotentiary, February 28, 1815.
 William Pinkney, of Maryland, envoy extraordinary and minister plenipotentiary, April 26, 1815.
 George W. Campbell, of Tennessee, envoy extraordinary and minister plenipotentiary, April 16, 1818.
 Henry Middleton, of South Carolina, envoy extraordinary and minister plenipotentiary, April 6, 1820.
 John Randolph, of Virginia, envoy extraordinary and minister plenipotentiary, 1830.
 James Buchanan, of Penn., envoy extraordinary and minister plenipotentiary, 1831.
 William Wilkins, of Penn., envoy extraordinary and minister plenipotentiary, 1834.
 John Randolph Clay, of Pennsylvania, chargé d'affaires, 1836.
 George M. Dallas, Penn., envoy extraordinary and minister plenipotentiary, 1837.
 Churchill C. Cambreleng, of New York, envoy extraordinary and minister plenipotentiary, 1840.
 Charles S. Todd, of Ky., envoy extraordinary and minister plenipotentiary, 1841.

To Sweden.

- Jonathan Russell, of Rhode Island, minister plenipotentiary, January 18, 1814.
 Christopher Hughes, jr., of Maryland, chargé d'affaires, January 21, 1819.
 William C. Somerville, of Maryland, chargé d'affaires, March 9, 1825.
 John James Appleton, of Massachusetts, chargé d'affaires, May 2, 1826.
 Christopher Hughes, of Maryland, chargé d'affaires, March 3, 1830.
 George W. Lay, of New York, chargé d'affaires, 1842.
 Henry W. Ellsworth, of Indiana, chargé d'affaires, 1845.

Negotiators of the Treaty of Ghent.

- John Quincy Adams, Albert Gallatin, and James A. Bayard, envoys extraordinary and ministers plenipotentiary, April 17, 1813. (See vol. 1, pages 363, 366.)
 Henry Clay and Jonathan Russell were added to this commission on the 18th of January, 1814.

To Denmark.

- Henry Wheaton, of New York, chargé d'affaires, March 3, 1827.
 Jonathan F. Woodside, of Ohio, chargé d'affaires, 1835.
 William W. Irwin, of Pennsylvania, chargé d'affaires, 1843.

To Belgium.

- Hugh S. Legaré, of South Carolina, chargé d'affaires, 1832.
 Virgil Maxcy, of Maryland, chargé d'affaires, 1837.
 Henry W. Hilliard, of Alabama, chargé d'affaires, 1842.
 Thomas G. Clemson, of Pennsylvania, chargé d'affaires, 1844.

To the Two Sicilies.

- John Nelson, of Maryland, chargé d'affaires, 1831.
 Enos T. Throop, of New York, chargé d'affaires, 1838.
 William Boulware, of Virginia, chargé d'affaires, 1841.
 William H. Polk, of Tennessee, chargé d'affaires, 1845.

To Sardinia.

- H. Y. Rogers, chargé d'affaires, 1840.
 Ambrose Baber, of Georgia, chargé d'affaires, 1841.
 Robert Wickliffe, jr., of Kentucky, chargé d'affaires, 1843.

To Turkey.

- David Porter, of Maryland, chargé d'affaires, 1831.
 David Porter, minister resident, 1839.
 Dabney S. Carr, of Maryland, minister resident, 1843.

To Guatemala (Central America).

- William Miller, of North Carolina, chargé d'affaires, March 7, 1825.
 John Williams, of Tennessee, chargé d'affaires, December, 9, 1825.
 William B. Rochester, of New York, chargé d'affaires, March 3, 1827.
 Charles G. DeWitt, of New York, chargé d'affaires, 1833.
 John L. Stephens, of New York, minister resident, 1839.

To Mexico.

Andrew Jackson, of Tennessee, envoy extraordinary and minister plenipotentiary, January 27, 1823. (*Declined the appointment.*)

Ninian Edwards, of Illinois, envoy extraordinary and minister plenipotentiary, March 4, 1824.

Joel R. Poinsett, of South Carolina, envoy extraordinary and minister plenipotentiary, March 8, 1825.

Anthony Butler, of Mississippi, chargé d'affaires, March 12, 1830.

Powhattan Ellis, of Miss., envoy extraordinary and minister plenipotentiary, 1837.

Waddy Thompson, of S. C., envoy extraordinary and minister plenipotentiary, 1842.

Wilson Shannon, of Ohio, envoy extraordinary and minister plenipotentiary, 1844.

John Slidell, of Louisiana, envoy extraordinary and minister plenipotentiary, 1845.

To the Republic of Colombia.

Richard C. Anderson, of Virginia, minister plenipotentiary, January 27, 1823.

Beaufort T. Watts, of South Carolina, chargé d'affaires, March 3, 1827.

William Henry Harrison, of Ohio, envoy extraordinary and minister plenipotentiary, May 24, 1828.

Thomas P. Moore, of Kentucky, envoy extraordinary and minister plenipotentiary, March 13, 1829.

To Brazil.

Condy Raguet, of Pennsylvania, chargé d'affaires, March 9, 1825.

William Tudor, chargé d'affaires, December 27, 1827.

Ethan A. Brown, of Ohio, chargé d'affaires, 1830.

William Hunter, of Rhode Island, chargé d'affaires, 1834.

William Hunter, of Rhode Island, minister plenipotentiary, 1841.

George H. Proffit, of Indiana, minister plenipotentiary, 1843.

Henry A. Wise, of Virginia, minister plenipotentiary, 1844.

To the Republic of Buenos Ayres.

César A. Rodney, of Delaware, minister plenipotentiary, January 27, 1823.

John M. Forbes, of Florida, chargé d'affaires, March 9, 1825.

Francis Baylies, of Massachusetts, chargé d'affaires, 1832.

William Brent, jr., of Virginia, chargé d'affaires, 1844.

To the Republic of Chili.

Heman Allen, of Vermont, minister plenipotentiary, January 27, 1823.

Samuel Larned, of Rhode Island, chargé d'affaires, February 9, 1828.

John Harum, of Ohio, chargé d'affaires, 1830.

Richard Pollard, of Virginia, chargé d'affaires, 1834.

John S. Pendleton, of Virginia, chargé d'affaires, 1841.

William Crump, of Virginia, chargé d'affaires, 1844.

To Peru.

James Cooley of Ohio, chargé d'affaires, May 2, 1826.

Samuel Larned, of Rhode Island, chargé d'affaires, December 29, 1828.

Emanuel J. West, of Illinois, chargé d'affaires, March 12, 1830.

Samuel Larned, of Rhode Island, chargé d'affaires, 1831.

James B. Thornton, of New Hampshire, chargé d'affaires, 1836.

James C. Pickett, of Virginia, chargé d'affaires, 1838.

Albert G. Jewett, of Maine, chargé d'affaires, 1845.

To Venezuela.

J. G. A. Williamson, of North Carolina, chargé d'affaires, 1835.

Allen A. Hall, of Tennessee, chargé d'affaires, 1841.

Benjamin G. Shields, of Alabama, chargé d'affaires, 1845.

To New Grenada.

Robert B. M'Asfee, of Kentucky, chargé d'affaires, 1833.

James Semple, of Illinois, chargé d'affaires, 1837.

William M. Blackford, of Virginia, chargé d'affaires, 1842.

Benjamin A. Bidlack, of Pennsylvania, chargé d'affaires, 1845.

Assembly of American nations, proposed to be held at Panama.

Richard C. Anderson, of Virginia, and John Sergeant, of Pennsylvania, envoys extraordinary and ministers plenipotentiary, March 14, 1826.

Joel R. Poinsett, of South Carolina, envoy extraordinary and minister plenipotentiary, February 12, 1827.

To Texas.

Alcee Labranche, of Louisiana, chargé d'affaires, 1837.

George H. Flood, of Ohio, chargé d'affaires, 1840.

Joseph Eve, of Kentucky, chargé d'affaires, 1841.

William S. Murphy, of Ohio, chargé d'affaires, 1843.

Andrew J. Donelson, of Tennessee, chargé d'affaires, 1845.

To China.

Caleb Cushing, of Massachusetts, commissioner, 1843.

Alexander H. Everett, of Massachusetts, commissioner, 1845.

To Sandwich Islands.

George Brown, of Massachusetts, commissioner, 1843.

Anthony Ten Eyck, of Michigan, commissioner, 1845.

The pay of ministers plenipotentiary is \$9,000 per annum, salary, beside \$9,000 for an outfit. Secretaries of legation receive \$2,000, and chargé d'affaires, \$4,500 per annum. To entitle any chargé d'affaires, or secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, to the above compensation, they must respectively be appointed by the president of the United States, by and with the advice and consent of the senate; but in the recess of the senate, the president is authorized to make such appointments, which must be submitted to the senate at the next session thereafter, for their advice and consent; and no compensation is allowed to any chargé d'affaires, or any secretary of legation, embassy, or minister, who shall not be so appointed.

Consuls of the United States, generally so called, are, in effect, agents for commerce and seamen; which latter denomination, for particular reasons, is given to some of this class of public officers. They receive no yearly salaries (except at Paris and London, Tangier, Tunis, and Tripoli, where they have an annual salary of \$2,000), and their compensation is derived from the fees which are allowed by law. The amount of these fees depends, of course, upon the state of foreign trade, which is perpetually fluctuating. Consuls of the United States, for commercial purposes, are regularly admitted and recognised, as to their official functions, in the ports of Christian Europe; but in the colonies of the European nations, agents for commerce and seamen mostly exercise the duties of their station under courtesy, without any formal recognition; and, in some instances, from the jealousy of colonial policy, they have not been permitted to exercise them at all. In their public capacity, consuls and agents for commerce and seamen are principally occupied in verifying, in different forms, the legality of the trade of the United States with foreign nations, and in relieving and sending home American seamen, who, by accident or misfortune, are left destitute within the jurisdiction of their several consulates and agencies.

The compensation of the following public officers of the United States is at present fixed by law at the amounts stated:—

President of the United States, \$25,000 per annum; vice-president, \$5,000 per annum; secretaries of state, treasury, navy, and war, each, \$6,000 per annum; post-master-general, \$6,000 per annum; attorney-general, \$4,000 per annum; chief justice of the supreme court, \$5,000 per annum; associate justices, \$4,500 per annum.

From the first Congress, in 1789, inclusive, until March 4, 1795, senators and representatives received each \$6 per diem, and \$6 for every twenty miles travel. From March 4, 1795, to March 4, 1796, senators received \$7, and representatives \$6 per diem. From March 4, 1796, until December 4, 1815, the per diem was \$8, and the mileage \$6, to senators and representatives. From December 4, 1815, until March 4, 1817, each senator and representative received \$1,500 per annum, with a proportional deduction for absence, from any cause but sickness. The president of the senate pro tempore, and speaker of the house, \$3,000 per annum, each. From March 4, 1817, the compensation to members of both houses has been \$8 per diem, and \$8 for every twenty miles travel; and to the president of the senate pro tempore, and speaker of the house, \$16 per diem.

MINISTERS, &c., TO FOREIGN COUNTRIES, FROM 1845 TO 1864.

MINISTERS PLENIPOTENTIARY.

- Great Britain*.—George Bancroft, of Massachusetts, 1846.
 Abbot Lawrence, of Massachusetts, 1849.
 Joseph R. Ingersoll, of Pennsylvania, 1852.
 James Buchanan, of Pennsylvania, 1853.
France.—Richard Rush, of Pennsylvania, 1847.
 William C. Rives, of Virginia, 1849.
 John Y. Mason, of Virginia, 1853.
Russia.—Ralph J. Ingersoll, of Connecticut, 1846.
 Arthur P. Bagby, of Alabama, 1848.
 Neill S. Brown, of Tennessee, 1849.
 Thomas H. Seymour, of Connecticut, 1853.
Prussia.—Edward A. Hannegan, of Indiana, 1849.
 Daniel D. Barnard, of New York, 1850.
 Peter D. Vroom, of New Jersey, 1853.
Empire of Germany.—Andrew J. Donelson, of Tennessee, 1848.
Spain.—Daniel M. Barringer, of North Carolina, 1849.
 Pierre Soulé, of Louisiana, 1853.
Brazil.—David Tod, of Ohio, 1847.
 Robert C. Schenck, of Ohio, 1851.
 William Trousdale, of Tennessee, 1853.
Mexico.—Robert P. Letcher, of Kentucky, 1849.
 Alfred Conkling, of New York, 1852.
 James Gadsden, of South Carolina, 1853.
Chili.—Baillie Peyton, of Louisiana, 1849.
Central America.—Solon Borland, of Arkansas, 1853.
Peru.—John R. Clay, of Pennsylvania, 1853.

MINISTERS RESIDENT.

- Turkey*.—George P. Marsh, of Vermont, 1849.
 Carroll Spence, of Maryland, 1853.
Switzerland.—Theodore S. Fay, of Massachusetts, 1853.

CHARGES DES AFFAIRES.

- Netherlands*.—George Folsom, of New York, 1849.
 August Belmont, of New York, 1853.
Belgium.—Richard H. Bayard, of Delaware, 1851.
 J. J. Seibels, of Alabama, 1853.
Austria.—James Watson Webb, of New York, 1849.
 Charles J. McCurdy, of Connecticut, 1851.
 Henry R. Jackson, of Georgia, 1853.
Denmark.—E. P. Flenihen, of Pennsylvania, 1847.
 Walter Forward, of Pennsylvania, 1849.
 Miller Grieve, of Pennsylvania, 1852.
 Henry Bedinger, of Virginia, 1853.

- Sweden*.—Francis Schroeder, of Rhode Island, 1849.
Portugal.—George W. Hopkins, of Virginia, 1847.
 Charles B. Haddock, of New Hampshire, 1851.
 John L. O'Sullivan, of New York, 1853.
Naples (Two Sicilies).—John Rowan, of Kentucky, 1848.
 Edward Joy Morris, of Pennsylvania, 1850.
 Robert Dale Owen, of Indiana, 1853.
Sardinia.—Nathaniel Niles, of Vermont, 1848.
 William B. Kinney, of New Jersey, 1850.
 John M. Daniel, of Virginia, 1853.
Rome.—J. L. Martin, of Pennsylvania, 1848.
 Lewis Cass, Jr., of Michigan, 1848.
Mexico.—Nathan Clifford, of Maine, 1848.
Central America.—Elijah Hise, of Kentucky, 1848.
 E. George Squiers, of Ohio, 1850.
Nicaragua.—John B. Kerr, of Maryland, 1851.
Guatemala.—Balis M. Edney, of North Carolina, 1852.
New Grenada.—Thomas Foote, of New York, 1849.
 Yelverton P. King, of Georgia, 1851.
 James S. Green, of Missouri, 1853.
Venezuela.—J. Nevett Steele, of Alabama, 1845.
Ecuador.—Vanbrugh Livingston, of New York, 1848.
 Courtland Cushing, of Indiana, 1851.
 Philo White, of Wisconsin, 1853.
Bolivia.—John Appleton, of Maine, 1848.
 Horace H. Miller, of Mississippi, 1852.
 John W. Dana, Maine, 1853.
Peru.—John R. Clay, of Pennsylvania, 1847.
Chili.—Seth Barton, of Louisiana, 1847.
Argentine Republic.—William A. Harris, of Virginia, 1846.
 John S. Pendleton, of Virginia, 1851.

COMMISSIONERS.

- China*.—John W. Davis, of Indiana, 1848.
 Thomas Nelson, of Tennessee, 1851.
 Humphrey Marshall, of Kentucky, 1852.
 Robert M. McLane, of Maryland, 1853.
Sandwich Islands.—Luther Severance, Maine, 1850.
 David L. Gregg, of Illinois, 1853.
Mexico.—Nicholas P. Trist, of Virginia, 1847.

ASSOCIATE JUSTICES OF THE SUPREME COURT.

- Robert C. Grier, of Pennsylvania, 1846.
 Benjamin R. Curtis, of Massachusetts, 1851.
 John A. Campbell, of Alabama, 1853.

SEVENTH CENSUS OF THE UNITED STATES.—JUNE 1, 1850.

Free or Non-Slaveholding States.

States and Territories.	Whites.	Free Colored.	Slaves.	Total.	Area in square miles.
Maine	581,813	1,356		583,169	35,000
New Hampshire.....	317,456	520		317,976	8,030
Vermont	313,402	718		314,120	8,000
Massachusetts.....	985,450	9,064		994,514	7,250
Rhode Island	143,875	3,670		147,545	1,200
Connecticut	363,099	7,698		370,792	4,750

Total of New England.. 2,705,095... 28,021..... 2,723,116..... 64,280

New York.....	3,043,325	49,069		3,097,394	46,000
New Jersey.....	465,509	23,810	236	489,555	6,851
Pennsylvania.....	2,258,160	53,626		2,311,786	47,000
Ohio.....	1,955,050	25,279		1,980,329	39,964
Indiana.....	977,154	11,262		988,416	33,809
Illinois.....	846,034	5,436		851,470	55,409
Iowa.....	191,881	333		192,214	50,914
Wisconsin.....	304,756	635		305,391	53,924
Michigan.....	395,071	2,583		397,654	56,243
California.....	91,635	962		92,597	188,982
Minnesota Territory	6,038	39		6,077	141,839
Oregon Territory.....	13,087	207		13,294	341,463
New Mexico Territory.....	61,525	22		61,547	210,774
Utah Territory	11,330	24	26	11,380	187,923

Total, Free States, &c. 13,330,650... 196,308..... 262... 13,527,220... 1,525,326

Slaveholding States.

Delaware.....	71,169	18,073	2,290	91,532	2,120
Maryland.....	417,943	74,723	90,368	583,034	11,000
District of Columbia.....	37,941	10,059	3,687	51,687	50
Virginia.....	394,800	54,333	472,528	1,421,661	61,352
North Carolina.....	553,028	27,463	288,548	869,039	45,600
South Carolina.....	274,563	8,960	384,984	668,507	28,000
Georgia.....	521,672	2,981	381,682	906,185	58,000
Florida.....	47,203	932	39,310	87,445	59,268
Alabama.....	423,514	2,265	342,844	771,623	50,722
Mississippi.....	295,718	930	309,878	606,526	47,151
Louisiana.....	255,491	17,462	244,809	517,762	41,346
Texas.....	154,034	397	58,161	212,592	325,529
Arkansas.....	162,189	608	47,100	209,897	52,198
Tennessee.....	756,836	6,422	239,459	1,002,717	44,000
Kentucky.....	761,413	10,011	210,981	982,405	37,680
Missouri.....	592,004	2,618	87,422	682,044	65,037

Total, Slave States, &c. 6,222,418... 238,187... 3,204,051... 9,664,654... 928,953

Total, United States... 19,553,068... 434,495... 3,204,313... 23,191,874... 2,454,278

NOTE.—The official census of California for 1850, as above given, was incomplete, in consequence of the destruction, by fire at St. Francisco, of some of the returns. The total population, by the census of 1850, was estimated at one hundred and sixty-five thousand. By the state census of 1852, the population of California was two hundred and fifty-five thousand one hundred and twenty-two.

The area of the United States is as follows:—

Free States and Territories.....	1,525,325
Slaveholding States and Territories.....	928,953
Nebraska Territory.....	186,700
Northwest Territory.....	528,725
Indian Territory.....	187,171

Total..... 3,306,874

**PROGRESS OF POPULATION IN THE UNITED STATES FOR FIFTY YEARS,
FROM 1790 TO 1850.**

First Census, August 1, 1790.

	Whites.	Free Colored.	Slaves.	Total
Free States.....	1,900,772.....	26,831.....	40,850.....	1,968,453
Slave States.....	1,271,692.....	32,685.....	645,047.....	1,961,874
Total.....	3,172,464.....	59,446.....	697,897.....	3,929,827

Second Census, August 1, 1800.

Free States.....	2,601,509.....	47,154.....	35,946.....	2,684,609
Slave States.....	1,702,980.....	61,241.....	857,095.....	2,621,316
Total.....	4,304,489.....	108,395.....	893,041.....	5,305,925

Third Census, August 1, 1810.

Free States.....	3,653,219.....	78,181.....	27,510.....	3,758,910
Slave States.....	2,208,785.....	108,265.....	1,163,854.....	3,480,904
Total.....	5,862,004.....	186,446.....	1,191,364.....	7,239,814

Fourth Census, August 1, 1820.

Free States.....	5,030,371.....	102,893.....	19,108.....	5,152,372
Slave States.....	2,842,340.....	135,434.....	1,524,580.....	4,502,224
Total.....	7,872,711.....	238,197.....	1,543,688.....	9,654,596

Fifth Census, June 1, 1830.

Free States.....	6,876,620.....	137,529.....	3,568.....	7,017,717
Slave States.....	3,660,758.....	182,070.....	2,005,475.....	5,848,303
Total.....	10,537,378.....	319,599.....	2,009,043.....	12,866,020

Sixth Census, June 1, 1840.

Free States.....	9,557,065.....	170,727.....	1,129.....	9,728,921
Slave States.....	4,632,640.....	215,568.....	2,486,226.....	7,334,434
Total.....	14,189,705.....	386,295.....	2,487,355.....	17,063,355

Seventh Census, June 1, 1850.

Free States.....	13,330,650.....	196,308.....	262.....	13,527,220
Slave States.....	6,222,418.....	238,187.....	3,204,051.....	9,664,654
Total.....	19,553,068.....	434,495.....	3,204,313.....	23,191,874

SYNOPSIS OF THE CONSTITUTIONS OF THE SEVERAL UNITED STATES.

ADOPTION OF THE FIRST STATE CONSTITUTIONS.

THE continental Congress, on the 10th of May, 1776, recommended to the assemblies and conventions of the several colonies where no governments sufficient to the exigencies of their affairs had been established, to adopt such systems as, in the opinion of the representatives of the people, would best conduce to the happiness and safety of their constituents in particular, and British America in general.

The difficulties in forming state governments or constitutions, were much less than in forming a system embracing all the states. The people had long been familiar with the civil institutions of their respective states, and could, with comparative ease, make such alterations as would suit their new political situation. The people of Connecticut and Rhode Island had, from their first settlement, chosen all their rulers, and in these states, a change of forms was only requisite.

Massachusetts, after the alteration of her charter by parliament, continued her old system as far as practicable, agreeably to the advice of Congress, until she was able and had leisure to form a new and more permanent one. From the peculiar situation of New Hampshire, Virginia, and South Carolina, Congress in November, 1775, recommended to them, if they judged it necessary for their peace and security, to establish governments, to continue during the disputes with Great Britain. In pursuance of these recommendations, the states of New Hampshire, South Carolina, Virginia, and New Jersey, established new systems of government before the declaration of independence. They were followed by four other states, during the year 1776, and with the exception of that of Virginia, these state systems of government were expressly limited in their duration to the continuance of the dispute between the colonies and Great Britain. In all the constitutions thus formed, except that of Pennsylvania, the legislative power was vested in two branches.*

Vermont did not become a member of the Union until 1791. That state was originally settled under grants from New Hampshire, and principally by the hardy yeomanry of New England, who became acquainted with the country in the war of 1756. It was a long time known by the name of "the New Hampshire grants," and its inhabitants were called the green-mountain boys." It was claimed by New York, under the old

* Pitkin's History of the United States.

grant to the duke of York ; and in 1764, on an *ex parte* application to the king and council, the country, as far east as Connecticut river, was placed under the jurisdiction of that province. This was done without the knowledge and contrary to the wishes of the inhabitants, who at the revolution declared themselves independent, and in 1777 established a temporary government. They afterward requested to be admitted a member of the confederacy, but were opposed by New Hampshire and New York, and Congress were unwilling to offend those states. A frame of state government was established July 4, 1786, and in 1790 New York was induced, by the payment of \$30,000 to withdraw its claims, and in 1791 Vermont was admitted into the Union.

The following are the dates when the first constitutions of the old states were adopted :—

New Hampshire, January 5.....	1776	Delaware, September.....	1776
South Carolina, March 24.....	1776	North Carolina, December.....	1776
Virginia, June 29.....	1776	New York, April.....	1777
New Jersey, July 2.....	1776	Massachusetts, March.....	1780
Maryland, August 14.....	1776	Vermont, July 4.....	1786
Pennsylvania, September.....	1776	Georgia, May.....	1789

A synopsis or outline of the principal features of the Constitutions of each of the United States.

MAINE.

THE constitution of this state was formed in 1819, and went into operation in 1820.

The legislative power is vested in a senate and a house of representatives, both elected annually by the people, on the second Monday of September. These two bodies are together styled *the Legislature of Maine*.

The number of representatives can not be less than 100, nor more than 200. A town having 1,500 inhabitants is entitled to send one representative; having 3,750, two; 6,775, three; 10,500, four; 15,000, five; 20,250, six; 26,250, seven; but no town can ever be entitled to more than seven representatives. The number of senators can not be less than twenty, nor more than thirty-one.

The legislature meets (at Augusta) annually, in the month of May; it formerly met in January.

The executive power is vested in a governor, who is elected annually by the people, on the second Monday in September, and his term of office commences on the first Wednesday in January. A council of seven members is elected annually, by joint ballot of the senators and representatives, to advise the governor in the executive part of government.

The right of suffrage is granted to every male citizen aged twenty-one years or upward (excepting paupers, persons under guardianship, and Indians not taxed), having had his residence established in the state for the term of three months next preceding an election.

The judicial power is vested in a supreme judicial court, and such other courts as the legislature may, from time to time, establish. All the judges are appointed by the governor, with the advice and consent of the council; and they hold their offices for seven years.

NEW HAMPSHIRE.

A constitution was established in 1784; and in 1792, this constitution was altered and amended by a convention of delegates held at Concord, and is now in force.

The legislative power is vested in a senate and house of representatives, which, together, are styled *the General Court of New Hampshire*.

Every town, or incorporated township, having 150 ratable polls, may send one representative; and for every 300 additional polls, it is entitled to an additional representative.

The senate consists of twelve members, who are chosen by the people in districts.

The executive power is vested in a governor and a council, which consists of five members.

The governor, council, senators, and representatives, are all elected annually, by the people, on the second Tuesday in March, and their term of service commences on the first Wednesday in June.

The general court meets annually (at Concord) on the first Wednesday in June.

The right of suffrage is granted to every male inhabitant of twenty-one years of age, excepting paupers, and persons excused from paying taxes at their own request.

The judiciary power is vested in a superior court, and a court of common pleas. The judges are appointed by the governor and council, and hold their offices during good behavior, but not beyond the age of seventy years.

VERMONT.

The first constitution of this state was formed in 1777, and revised in 1786; the one now in operation was adopted on the 4th of July, 1793, and an amendment establishing a senate was adopted in January, 1836.

The legislative power is now vested in a senate and house of representatives, elected by the people annually, on the first Tuesday in September.

The senate consists of thirty members; each county being entitled to at least one, and the remainder to be apportioned according to population; and the house of representatives is composed of one member from each town. The senators must be thirty years of age, and the lieutenant-governor is *ex-officio* president of the senate.

The legislature is styled *the General Assembly of the State of Vermont*, and meets annually, on the second Thursday of October, at *Montpelier*.

The executive power is vested in a governor, or, in his absence, a lieutenant-governor, both elected annually by the people, on the first Tuesday in September, and their term of office expires on the second Thursday in October.

The judiciary powers are vested in a supreme court, consisting of three judges, chosen every year by the legislature; in a county court, composed of a circuit judge, appointed by the legislature, and two assistant judges in each county elected by the people, who hold courts twice a-year in their respective counties; and in justices of the peace, appointed by the legislature. There are four circuit judges in the state.

The constitution grants the right of suffrage to every man, of the full age of twenty-one years, who has resided in the state for the space of one whole year, next before the election of representatives, and is of quiet and peaceable behavior.

A council of censors, consisting of thirteen persons, are chosen every

seven years (first elected in 1799), on the last Wednesday in March, and meet on the first Wednesday in June. Their duty is to inquire whether the constitution has been preserved inviolate; whether the legislative and executive branches of government have performed their duty as guardians of the people; whether the public taxes have been justly laid and collected; in what manner the public moneys have been disposed of; and whether the laws have been duly executed.

MASSACHUSETTS.

The constitution of this state was formed in 1780, and amended, by a state convention and the people, in 1821. Several amendments have since been recommended by the legislature, and adopted by the people.

The legislative power is vested in a senate and house of representatives, which together are styled *the General Court of Massachusetts*.

The senate consists of forty members, who are chosen annually by the people, by districts, or counties, according to population.

The house of representatives consists of members chosen annually by the cities and towns, according to population, every town having 300 ratable polls electing one representative, and for every 450 more, one additional representative. Any town having less than 300 polls, to be represented as many years within ten years, as 300 is contained in the product of the number of polls in said town, multiplied by ten. When there is a surplus of polls over a sufficiency for one or more representatives, multiply the surplus by ten, and divide by 450, and the quotient will show how many years of the decennial period the town shall be allowed an additional representative.

The supreme executive magistrate is styled the *Governor of the Commonwealth of Massachusetts*, and has the title of "*His Excellency*." The governor is elected annually by the people, and at the same time a lieutenant-governor is chosen, who has the title of "*His Honor*." The governor is assisted in the executive department, particularly in appointments to office, by a council of nine members, who are chosen by the joint ballot of the senators and representatives, from the senators; and in case the persons elected councillors decline the appointment, others are chosen by the legislature from the people at large.

The annual election is held on the second Monday in November, and the general court meets at *Boston*, on the first Wednesday of January.

The right of suffrage is granted to every male citizen twenty-one years of age and upward (excepting paupers and persons under guardianship), who has resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election, and who has paid a state or county tax, assessed upon him within two years next preceding such election; and also every citizen who may be by law exempted from taxation, and who may be in all other respects qualified as abovementioned.

The judiciary is vested in a supreme court, a court of common pleas, and such other courts as the legislature may establish. The judges are appointed by the governor, by and with the advice and consent of the council, and hold their offices during good behavior.

RHODE ISLAND.

The charter granted to the colony of Rhode Island, by King Charles II., in 1663, formed the basis of the state government, until the present

constitution was framed, which was adopted in November, 1842, and went into effect on the first Tuesday of May, 1843.

By this constitution the legislative power is vested in a senate and house of representatives, who are together styled the *General Assembly of the State of Rhode Island and Providence Plantations*.

The senate consists of the governor, lieutenant-governor, and one senator from each of the thirty-one towns in the state.

The house of representatives consists of sixty-nine members, apportioned among the towns according to population. Each town is to have at least one, and no town more than twelve representatives.

The executive power is vested in a governor, being, with the lieutenant-governor, senators, and representatives, elected annually by the people, on the first Wednesday of April, for the year commencing the first Tuesday of May, when the general assembly meets at *Newport*; and adjourned sessions are held alternately at *Providence*, *East Greenwich*, and *Bristol*. The judges and other public officers, except those chosen by the people, are appointed annually by the general assembly.

The judicial powers are vested in a supreme court, consisting of a chief justice and three associate justices, who hold their offices until they are removed by a resolution passed by both houses of the assembly, and in a court of common pleas for each county, consisting of a justice of the supreme court, and two associate justices.

The right of suffrage is vested in all male *native* citizens of the United States, who have resided in the state two years, and in the town where they propose to vote, six months; who have been registered in the town clerk's office at least seven days before the election; have paid within one year a tax of one dollar, or have done military duty within the preceding year; likewise, in all male citizens (naturalized foreigners) of the United States, who in addition to the preceding qualifications, possess real estate in the town or city, worth \$134 over all incumbrances, or which rents for \$7 per annum.

CONNECTICUT.

The charter granted in 1662 by Charles II., formed the basis of the government of Connecticut till 1818, when the present constitution was framed.

The legislative power is vested in a senate and house of representatives, which together are styled the *General Assembly*.

The members of the house of representatives are chosen by the different towns in the state; the more ancient towns, the majority of the whole number, send each two representatives; the rest only one each. The present number is 220.

The senate must consist of not less than eighteen, nor more than twenty-four members, who are chosen by districts. The present number is twenty-one.

The executive power is vested in a governor. A lieutenant-governor is also chosen, who is president of the senate, and on whom the duties of the governor devolve, in case of his death, resignation, or absence.

The representatives, senators, governor, and lieutenant-governor, are all elected annually by the people, on the first Monday in April.

The general assembly has one stated session every year, on the first Wednesday in May, alternately at *Hartford* and at *New Haven*.

Every white male citizen of the United States, who shall have gained

a settlement in this state, attained the age of twenty-one years, and resided in the town in which he may offer himself to be admitted to the privilege of an elector, at least six months preceding, and have a freehold estate of the yearly value of seven dollars, in this state; or having been enrolled in the militia, shall have performed military duty therein for the term of one year next preceding the time he shall offer himself for admission, or being liable thereto, shall have been, by authority of law, excused therefrom; or shall have paid a state tax within the year next preceding the time he shall present himself for such admission, and shall sustain a good moral character; shall, on the taking such an oath as may be prescribed by law, be an elector.

The judicial power is vested in a supreme court of errors, a superior court, and such inferior courts as the general assembly may, from time to time, establish. The judges are appointed by the general assembly; and those of the supreme and superior courts hold their offices during good behavior, but not beyond the age of seventy years.

No person is compelled to join, support, or to be classed with, or associated to, any congregation, church, or religious association. But every person may be compelled to pay his proportion of the expenses of the society to which he may belong; he may, however, separate himself from the society by leaving a written notice of his wish with the clerk of such society.

NEW YORK.

THE present constitution of the state of New York, was formed in 1846.

Every male citizen, twenty-one years of age, ten days a citizen, one year next preceding any election an inhabitant of the state, for the last four months a resident of the county where he may offer his vote, and for thirty days next preceding the election, a resident of the district of his candidate, may vote in the election district of which he shall at the time be a resident, and not elsewhere. No man of color shall vote unless he shall have been for three years a resident of the state, and, for one year next preceding the election, shall have owned a freehold worth two hundred and fifty dollars above all incumbrances, and shall have paid a tax thereon. And no person of color shall be taxed unless he shall own such real estate. Persons convicted of any infamous crime, and those who have made, or become directly or indirectly interested in any bet upon an election, may by a law be deprived of their vote therein.

The state shall be divided into thirty-two districts, each of which shall choose one senator to serve for two years. A census of the state shall be taken in 1855, and in every ten years afterward. The legislature, at the next session after such census, shall reorganize the districts on the basis of population, excluding aliens and persons of color not taxed; and the districts shall remain unaltered until the next census. Members of the assembly, one hundred and twenty-eight in number, and apportioned among the several counties according to the population, excluding aliens and persons of color not taxed, shall be elected annually and by single districts. Each county, except Hamilton, shall have at least one member of the assembly; and no new county shall be made unless its population entitle it to a member. The pay of the senators and representatives shall not be more than three dollars a day, with one dollar for every ten miles of travel, nor exceed in the whole three dollars per diem allowance. In extra sessions it shall be three dollars a day. The speaker shall receive

one third additional to his per-diem allowance. No member of the legislature shall, during his term, be appointed to any office; and no one holding office under the United States; and no member of Congress shall belong to the legislature. The election shall be on the Tuesday succeeding the first Monday in November; and the legislature shall assemble on the first Tuesday of the following January. The assembly may *impeach* by a majority vote of all the members elected.

The governor and lieutenant-governor, chosen by a plurality of votes, shall hold office for two years. In case two persons have an equal and the highest vote, the legislature, at its next session, by joint ballot shall decide between them. They must be thirty years old, citizens of the United States, and have been, for five years next preceding their election, residents in the state. The governor may veto a bill; but two thirds of both houses may pass it again, notwithstanding his veto. The lieutenant-governor shall be president of the senate, with only a casting vote; and if the office of governor be vacant, he, and, after him, the president of the senate, shall act as governor. The secretary of state, comptroller, treasurer, attorney-general, state-engineer, and surveyor, shall be chosen at a general election, and hold office for two years. The treasurer may be suspended from office by the governor, during the recess of the legislature, and until thirty days after the beginning of the next session. At the first election, three canal commissioners, and three inspectors of prisons shall be chosen, to hold office one, two, and three years, respectively, as shall be determined by lot; and afterward one shall be elected annually to hold office for three years. The inspectors shall have charge of the stateprisons, and shall appoint all officers therein.

The court of appeals shall consist of eight judges, four to be elected by the people of the state, to serve eight years, and four selected from the justices of the supreme court, having the shortest time to serve. The judges shall be so classified that every two years one shall leave office, and a new judge be elected to serve eight years. The state shall be divided into eight judicial districts, of which New York city shall be one; where the number of judges is to be fixed by law. The other districts shall each elect four justices of the supreme court to serve eight years. The justices shall have general jurisdiction in law and equity, and shall be so classified that every two years one in each district shall go out of office. Each county, except the city and county of New York, shall elect one county judge for four years, who shall act as surrogate and hold the county court. Counties of more than forty thousand inhabitants may elect a separate surrogate. Towns may elect justices of the peace to serve four years. Cities may have inferior local courts of civil and criminal jurisdiction. Tribunals of conciliation may be established whose judgment shall be binding only upon parties who voluntarily submit their matters in dispute, and agree to abide the result. A clerk of the court of appeals, to be *ex-officio* clerk of the supreme court, shall be chosen by the people for three years. Sheriffs, county-clerks, coroners, and district attorneys, shall be chosen by counties once in three years, and as often as vacancies happen. Sheriffs shall hold no other office, and be ineligible for the next three years after the termination of their office.

From June 1, 1846, there shall be paid each year out of the net revenue of the state canals, one million, three hundred thousand dollars, until June 1, 1855; and from that time one million, seven hundred thousand dollars a year, as a sinking fund for the payment of the canal debt of the

state. Afterward, from the remaining revenues of the canals, there shall be paid from June 1, 1846, until the canal debt is extinguished, three hundred and fifty thousand dollars a year; and afterward, one million, five hundred thousand dollars a year, for the redemption of the general fund and all contingent debts. Of the balance of the canal revenues, a sum not above two hundred thousand dollars a year (which may, if necessary, after eight years be increased to three hundred and fifty thousand dollars per annum, and which, after the above debts are paid, and certain now unfinished canals completed, may be still further increased to six hundred and seventy-two thousand, five hundred dollars a year), shall be devoted to pay the necessary expenses of the state; and the balance shall be expended to complete the still unfinished canals. The principal and income of these sinking funds shall be sacredly applied to the purposes for which they were created; and, if either proves insufficient, its revenues shall be sufficiently increased by taxes to preserve perfectly the public faith. The state canals shall never be sold, leased, or otherwise disposed of.

The state shall never give its credit to any individual or corporation; nor shall it ever contract a debt, except to meet casual deficits in the revenue, or to suppress insurrection, or for defence in war, unless such debt be authorized for some single work by a law which shall provide by a direct annual tax, to be irrevocable until the debt is extinguished, for the payment of the interest annually, and of the principal within eighteen years, and which shall be passed by yeas and nays, and be submitted to the people, and receive a majority of all the votes at a general election, to be held not less than three months after its passage, and at which no other law or any amendment to the constitution is voted for; and, on its final passage by the legislature, the question shall be taken by yeas and nays, and three fifths of all the members elected shall form a quorum. All moneys arising from such loan shall be applied only to the objects of the loan. No payment shall be made out of the funds of the state, unless by a law distinctly specifying the sum and object of the appropriation. Public moneys or property can not be appropriated for local or private purposes, except by a two thirds vote of the members elected to each branch of the legislature.

Corporations, with the individual liability of the corporators, may be formed under general laws which may be altered or repealed. They shall not be created by special act, except for municipal purposes, and when the objects of the corporation can not be gained under general laws. No special charter shall be granted for banking purposes; and after January 1, 1850, stockholders in banks shall be individually liable, to the amount of their stock, for debts incurred after that date. If a bank is insolvent, the bill-holders shall be preferred creditors.

The capital of the common school and literary funds shall be preserved inviolate, and its revenue applied to the support of common schools and academies. All persons, from scruples of conscience, averse to bearing arms, shall be excused therefrom upon such conditions as may be prescribed by law. No one shall be incompetent as a witness on account of his opinions upon religion. In all libel cases the truth may be given in evidence, and the jury shall have the right to decide the law and the fact. All feudal tenures, with all their incidents, are abolished; except such rents and services certain as have been lawfully created or reserved. No lease or grant of agricultural land for more than twelve years, hereafter made, in which any rent or service is reserved, shall be valid

Amendments to the constitution must be agreed to by a majority vote of the members elected to each of the two houses ; be entered on their journals with the yeas and nays ; be referred to the legislature to be chosen at the next general election of senators, and published three months previous to such election ; be passed by a majority of all the members elected to this legislature ; be then submitted to the people, and if a majority approve the amendments, they shall become a part of the constitution. In 1866, and every twentieth year thereafter, and at such times as the legislature may provide, the question of a revision of the constitution shall be submitted to the people ; and, if a majority decide in favor of a convention, the legislature at its next session shall provide for the election of delegates thereto.

NEW JERSEY.

THE original constitution of New Jersey was formed in 1776, and no revision of it took place until the adoption of the present constitution, in 1844, except that the legislature undertook to explain its provisions in particular parts.

In May, 1844, a convention of delegates, chosen by the people, assembled at Trenton, and prepared the draught of a new constitution, which was submitted to the people on the 13th of August, was adopted by a large majority, and went into operation on the 2d of September, 1844.

The legislative power is vested in a senate and general assembly, who are styled *the Senate and General Assembly of the State of New Jersey*, under which title laws are enacted.

The senate consists of one senator from each county, elected by the people for three years, one third going out each year. Their present number is nineteen.

The general assembly consists of not more than sixty, chosen annually by the people of each county, by apportionment according to the number of inhabitants.

The members of the senate and of the general assembly are elected on the second Tuesday of October, and meet at *Trenton* on the second Tuesday in the next January, when the legislative year commences.

Charters for banks and money corporations require the assent of three fifths of the members elected to each house, and are limited to twenty years.

The executive power is vested in a governor, elected by the people once in three years, at the general election. He has the power of nominating and appointing to office, with the advice and consent of the senate, the chancellor, justices of the supreme court, judges of the court of errors and appeals, and all other officers not otherwise provided for by law.

The judicial power is vested in a court of errors and appeals, composed of the chancellor, the judges of the supreme court, and six other judges ; a court for the trial of impeachments ; a court of chancery ; a supreme court, of five judges ; and courts of common pleas. The chancellor and judges of the supreme court hold their offices for seven years ; the six judges of the court of errors and appeals, for six years, one judge vacating his seat each year in rotation.

The right of suffrage is exercised by every white male citizen of the United States, who has resided in the state one year, and in the county where he votes five months (paupers, idiots, insane persons, and criminals excepted).

PENNSYLVANIA.

The first constitution of Pennsylvania was adopted in 1776 ; a second one in 1790 ; and the present amended constitution was adopted in 1838

The legislative power is vested in a general assembly, consisting of a senate and house of representatives.

The senators are chosen for three years, one third being elected annually, by the people, by districts. Their number can not be greater than one third, nor less than one fourth of the number of representatives. The present number is thirty-three.

The representatives are chosen annually on the second Tuesday of October, by the citizens of Philadelphia, and each county respectively, apportioned according to the number of taxable inhabitants. The number can not be less than sixty nor more than one hundred ; which latter is the present number chosen.

The general assembly meets annually at *Harrisburg*, on the first Tuesday of January, unless sooner convened by the governor.

The supreme executive power is vested in a governor, who is chosen on the 2d Tuesday in October, and who holds his office during three years from the third Tuesday of January next after his election ; and he can not hold it longer than six years in any term of nine years.

The judicial power is vested in a supreme court, in courts of oyer and terminer, and general jail delivery, in a court of common pleas, orphans' court, register's court, and court of quarter sessions of the peace for each county, in justices of the peace, and in such other courts as the legislature may from time to time establish.

By an amendment of the constitution adopted in 1850, the judges of the several courts are hereafter to be elected by the people ; the judges of the supreme court are chosen for fifteen years, by general ticket ; the president judges of the court of common pleas, and other courts of record, by districts, for ten years ; and the associate judges of the courts of common pleas for five years.

The right of suffrage is exercised by every white freeman of the age of twenty-two years, having resided in the state one year, and in the election district where he offers his vote ten days immediately preceding such election, and within two years paid a state or county tax, which shall have been assessed at least ten days before the election. White freemen, citizens of the United States, between the ages of twenty-one and twenty-two years, having resided in the state one year, may vote without paying taxes.

DELAWARE.

The constitution was formed in 1792, and amended in 1831.

The legislature is styled *the General Assembly*, and consists of a senate and house of representatives.

The senators are nine in number, namely, three from each county, and are elected for a term for four years.

The representatives are elected for a term of two years, and are twenty-one in number, seven from each county.

The general assembly meets at *Dover*, biennially, on the first Tuesday in January, unless sooner convened by the governor.

The general election is held biennially, on the second Tuesday in November.

The executive power is vested in a governor, who is elected by the people for a term of four years, and is not eligible for a second term

The judicial power is vested in a court of errors and appeals, a superior court, a court of chancery, an orphans' court, a court of oyer and terminer, a court of general sessions of the peace and jail delivery; a register's court, justices of the peace, and such other courts as the general assembly may, by a vote of two thirds of each house, establish.

The right of suffrage is granted to every white male citizen of the age of twenty-two years, or upward, having resided in the state one year next before the election, and the last month in the county where he votes; and having within two years paid a county tax. Also, to every white male citizen over twenty-one, and under twenty-two years of age, having resided as aforesaid, without payment of any tax.

MARYLAND.

The original constitution of this state was formed in 1776, and subsequently, was amended by the legislature, which was vested with the power of passing amendments at two successive sessions. The present constitution was formed by a state convention, and signed by a majority of the delegates thereto, on the 13th of May, 1851. It was adopted by the people on the 4th of June, and went into effect the 4th of July following.

The executive power is vested in a governor, who is chosen by the people, for a term of four years. The state is divided into three districts, and the governor is taken from each of the three districts alternately. The governor nominates, and with the consent of the senate, appoints, all officers whose appointment is not otherwise provided for, by the constitution, or by law. A person to be eligible to the office of governor, must have attained the age of 30 years, and been for five years a citizen of the United States, and for five years a resident of the state and three of the district, next preceding his election. In case of a vacancy in the office by death or otherwise, the president of the senate occupies the office till filled by the legislature.

The legislative power is vested in a senate and a house of delegates, together styled "The General Assembly of Maryland."

The senators are elected by the people for a term of four years, one half of them being chosen biennially. One senator is chosen from each county, and one from the city of Baltimore; making the present number of senators twenty-two.

The members of the house of delegates are elected by the people once in two years, and until the apportionment to be made under the census of 1860, are 72 in number. Baltimore city being entitled to 10; Baltimore county, 6; Frederick, 6; Washington, 5; Allegany, 4; Somerset, 4; Worcester, 3; Harford, 3; Anne Arundel, 3; Dorchester, 3; Carroll, 3; Cecil, 3; Prince George's, 3; St. Mary's, 2; Kent, 2; Calvert, 2; Charles, 2; Talbot, 2; Caroline, 2; Howard, 2; Queen Anne's, 2. An apportionment according to population, is to be made after the census of 1860—and the city of Baltimore shall always be entitled to four more delegates than the most populous county. The whole number of delegates is not to exceed 80, nor be less than 65.

The judicial power is vested in a court of appeals, in circuit courts, courts for the city of Baltimore, and in justices of the peace; all elected by the people. The judges of the court of appeals are four in number, chosen from the four judicial districts of the state, for a term of ten years; the circuit judges are eight in number, also chosen for ten years, one from each of the eight judicial circuits into which the state is divided. The judges must be persons selected from among those learned in the law. Orphans' courts, consisting of three judges for each county and the city of Baltimore, are also elected by the people for a term of four years. Sheriffs, registers of wills, clerks of the courts, and county officers, are elected by the people.

The general election is held on the first Wednesday of November, biennially; the general assembly meets at *Annapolis*, on the first Wednesday of January annually, until 1854, and every second year thereafter, but may be convened at other times by the governor.

The constitution confers the right of suffrage on every free white male person being a citizen of the United States, of twenty-one years of age or upward, having resided one year in the state, and six months in the county or in the city of Baltimore, next preceding the election at which he offers to vote.

Imprisonment for debt, and lotteries are prohibited. The property of debtors to an amount not exceeding five hundred dollars, is protected from execution. The legislature are prohibited from passing laws to abolish slavery. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes, or in cases where, in the judgment of the legislature, the object can not be attained under general laws. Stockholders in banks are liable to the amount of their respective shares for all debts of such bank.

VIRGINIA.

THE first constitution of this state was formed in 1776, and continued in operation until 1830, when an amended constitution was formed, which continued in operation until 1851. A third constitution was formed by a convention at Richmond August 1, 1851, and submitted to the people October 23, 1851.

By this new constitution, the legislative power is vested in a senate and house of delegates, which are together styled the General Assembly of Virginia. The house of delegates consists of 152 members to be chosen biennially, by the people of the counties, cities, and towns of the commonwealth. The senate consists of fifty members, elected by the people, by single districts, named in the constitution for a term of four years—so classified that one half of the senators may be chosen every second year. In the year 1865, and in every tenth year thereafter, the senators and representatives are to be reapportioned, according to a plan laid down in the constitution.

The first biennial election is to take place on the second Monday in December, 1851, and the first session of the general assembly takes place at Richmond, on the second Monday in January, 1852. The official terms of the delegates first elected to the general assembly expire on the 30th of June, 1853. The general assembly shall meet once in every two years, and not oftener, unless convened by the governor. No session shall continue longer than ninety days, without the concurrence of three fifths of the members elected to each house, in which case the session may be extended not more than thirty days.

The executive power is vested in a governor, who is elected by the people for a term of four years. He must have attained thirty years of age, be a native citizen of the United States, and a citizen of Virginia for five years next preceding his election. He must reside at the seat of government, and his salary is fixed at five thousand dollars per annum. A lieutenant-governor is elected by the people, at the same time and for the same term as the governor. The lieutenant-governor is president of the senate, but has no vote.

A secretary of the commonwealth, treasurer, and an auditor of public accounts, are elected by the joint vote of the two houses of the general assembly, for the term of two years, unless sooner removed. A board of public works, consisting of three commissioners, is elected by the people in three districts into which the state is to be divided for that purpose. Their term of office is to be six years, but so classified that one commissioner shall be elected every two years.

The right of suffrage is extended to every white male citizen of the commonwealth of the age of twenty-one years, who has been a resident of the state for two years, and of the county, city, or town where he offers to vote, for twelve months preceding an election. In all elections, votes shall be given openly, or *viva voce*, and not by ballot; but dumb persons may vote by ballot.

The judicial power is vested in a supreme court of appeals, district courts, and circuit courts—all the judges of which courts are elected by the people. The state is divided in twenty-one judicial circuits, ten districts, and five sections. For each circuit a judge is elected by the votes thereof for the term of eight years. A circuit court shall be held at least twice a year in every county and corporation in each circuit. A district court shall be held at least once a year in every district, by the judge of the circuits constituting the section, and a judge of the supreme court of appeals. For each section a judge of the supreme court shall be elected by the votes thereof, who shall hold his office for twelve years, unless sooner removed by a concurrent vote of both houses of the general assembly. Judges of other courts may be removed in the same manner. The supreme court of appeals consists of the five judges so elected, any three of whom may hold a court. County courts are composed of not less than three nor more than five justices of the peace, who are elected by the people of the districts into which such county may be divided, according to population, for a term of four years. County officers are also elected by the people.

Slaves hereafter emancipated shall forfeit their freedom by remaining in the state more than twelve months after they become actually free, and shall be reduced to slavery. The general assembly shall pass such laws as they may deem proper on the power of slave owners to emancipate their slaves, and may pass laws for the relief of the commonwealth from the free negro population, by removal or otherwise.

The general assembly shall not emancipate any slave, or the descendant of any slave, either before or after the birth of any such descendant. No lottery shall hereafter be authorized by law, and the bringing and selling of lottery tickets shall be prohibited. A state census is to be taken at intervals of five years after the United States census.

NORTH CAROLINA.

The constitution of North Carolina was originally framed and adopted in December, 1776, and certain amendments agreed upon by a convention in 1835, and ratified by the people, went into operation on the first of January, 1836.

The legislative power is vested in a body styled *the General Assembly*, consisting of a senate and house of commons, both elected biennially by the people.

The senate consists of fifty members, elected by districts, laid off and apportioned according to the amount of taxes paid by the citizens into the treasury of the state.

The house of commons consists of one hundred and twenty members, chosen by counties, according to their federal population, that is, according to their respective numbers, determined by adding to the whole number of free persons (including those bound to service for a term of years, and excluding Indians not taxed) three fifths of all other persons (slaves).

All freemen (people of color excepted) of the age of twenty-one years, who have been inhabitants of any one district within the state for twelve months preceding the day of any election, and are possessed of a freehold within the same district, of fifty acres of land, for six months next before and at the day of election, are entitled to vote for senators. The constitution grants the right of voting for governor and members of the house of commons, to all freemen of the age of twenty-one years, who have been inhabitants of the state twelve months immediately preceding the election.

The executive power is vested in a governor, who is elected by the people biennially; is to enter on the duties of his office on the first day of January next after his election; but he is not eligible more than four years in any term of six years. He is assisted by a council of state of seven persons, elected by the legislature.

The time of holding the election for governor and members of the general assembly, is appointed by the legislature; at present it is fixed for the first Thursday in August, biennially. All elections by the people are by ballot. The general assembly meets biennially, at *Raleigh*, on the third Monday in November.

The judicial power is vested in a supreme court of three judges, and in a superior or circuit court of seven judges; besides inferior courts. The state is divided into seven circuits, in which the superior court is held half yearly in the several counties. As judges of the superior courts of law they have jurisdiction of all pleas, whether brought before them by original or mesne process, or by *certiorari* writs of error, or appeal from any inferior court, also of all pleas of the state, and criminal matters. As judges of the courts of equity, they have all the powers of courts of chancery. The judges of the supreme and superior courts are elected by the legislature, in joint ballot, and hold their offices during good behavior.

SOUTH CAROLINA.

The first constitution of this state was formed in 1775; the present constitution was adopted in 1790.

The legislative authority is vested in a general assembly, consisting of a senate and a house of representatives.

The senate consists of forty-five members, who are elected by districts for four years, one half being chosen biennially.

The house of representatives consists of one hundred and twenty-four members, who are apportioned among the several districts, according to the number of white inhabitants and taxation, and are elected for two years. The representatives and one half of the senators are chosen every second year, on the second Monday in October, and the day following.

The executive power is vested in a governor, who is elected for two years, by a joint vote of the senate and house of representatives, at every first meeting of the house of representatives. A governor, after having performed the duties of the office for two years, can not be re-elected till after the expiration of four years.

At the time of the election of governor, a lieutenant-governor is chosen in the same manner, and for the same period.

The general assembly meets annually, at *Columbia*, on the fourth Monday in November.

The judicial power is vested in such superior and inferior courts of law and equity as the legislature shall, from time to time, direct and establish. In December, 1835, a change was made in the judiciary, though the judges remained the same. The old court of appeals of three judges was abolished, and two of the judges were made chancellors in equity, and the other one of the common law judges. The present court of appeals is constituted of the judges of the courts of law, and chancellors, who meet twice a year at *Columbia*, and twice a year at *Charleston*. There are four chancellors in equity, and seven judges of the general sessions and common pleas. The chancellor and judges are appointed by joint ballot of the senate and house of representatives, and hold their offices during good behavior.

The constitution grants the right of suffrage to every free white male citizen, of the age of twenty-one years, having resided in the state two years previous to the day of election, and having been possessed of a freehold of fifty acres of land, or a town lot, at least six months before such election, or (not having such freehold or town lot) having been a resident in the election district in which he offers his vote, six months before said election, and having paid a tax the preceding year, of three shillings sterling toward the support of the government.

GEORGIA.

The first constitution of Georgia was formed in 1777; a second in 1785; and a third, the one now in operation, in 1798.

The legislative power is vested in a senate and house of representatives, which together are styled the *General Assembly*.

The members of both houses are chosen annually, by the people, on the first Monday in October. The number of representatives is in proportion to population, including three fifths of all the people of color; but each county is entitled to at least one member. The constitution was altered by the legislature in 1844, so as to divide the state into forty-seven senatorial districts, and to reduce the number of representatives from 201 to 130. The legislature have the power of altering the constitution, provided two thirds of each branch agree on amendments proposed by one legislature, and confirmed by their successors by a two-third vote, at the following session.

The executive power is vested in a governor, who was formerly elected by the general assembly; but he is now (and since 1824) elected by

the people, on the first Monday in October ; and he holds the office for two years.

The general assembly meets at *Milledgeville*, on the first Monday in November, unless convened at another time by the governor.

The judicial power is vested in a superior court, and in such inferior jurisdictions as the legislature may, from time to time, ordain and establish ; and the superior and inferior courts sit twice in each county every year. The state is divided into eleven circuits, with a judge of the superior court for each circuit. An inferior court is held in each county, composed of five justices, elected by the people every four years. These courts possess the powers of courts of probate. The judges of the superior court are elected by the legislature for three years ; the justices of the inferior courts, and justices of the peace are elected quadrennially by the people ; and the clerks of the superior and inferior courts, biennially.

The constitution grants the right of suffrage to all citizens and inhabitants who have attained the age of twenty-one years, and have paid all the taxes which may have been required of them, and which they may have had opportunity of paying, agreeably to law, for the year preceding the election, and shall have resided six months within the county.

FLORIDA.

The constitution of this state was formed by a convention of delegates chosen by the people, and was adopted by said convention in January, 1839, but Florida remained under a territorial government until the 3d of March, 1845, when it was admitted into the Union as a state by act of Congress.

The legislative power is vested in a *General Assembly*, consisting of a senate and house of representatives. The senators are elected by the people, in districts, for two years, one half of the number going out of office every year. The present number of senators is seventeen. The representatives are elected by the people, by counties, annually, their number never to exceed sixty ; at present, forty-one are chosen. The annual election takes place on the first Monday in October, and the legislature meets at *Tallahassee* on the first Monday in November of each year.

The executive power is vested in a governor, who is chosen by the people once in four years, and he is not eligible for the four years next succeeding his term of office.

The judicial power is vested in a supreme court, having appellate jurisdiction only, and composed of the circuit judges for five years after the election of those judges, and thereafter until the general assembly shall otherwise provide ; also in circuit courts, the state being divided into four circuits, in each of which a judge of the supreme court has jurisdiction. These judges have also equity powers until a separate chancery court shall be established by the legislature. The judges are elected by the legislature, at first for five years ; after that term, during good behavior. There are also courts of probate, held by a judge of probate, one being appointed for each county in the state.

The right of suffrage may be exercised by every free white male, aged twenty-one years, or upward, who has resided in Florida for two years, and in the county for six months, and who shall be enrolled in the militia, or by law exempted from serving therein. The general assembly shall provide for the registration of all qualified voters.

No laws shall be passed to emancipate slaves, or to prohibit the immigration of persons bringing slaves with them. The general assembly may prevent free colored persons from entering the state.

No act of incorporation shall be passed or altered, except by the assent of two thirds of each branch of the legislature. No bank charter shall be granted for more than twenty years, nor shall it ever be extended or renewed. The capital of a bank shall not exceed one hundred thousand dollars, nor shall a dividend be made, exceeding ten per cent. a year. Stockholders shall be individually liable for the debts of the bank, and no notes shall be issued for less than five dollars. The credit of the state shall not be pledged in aid of any corporation whatsoever.

For an amendment of the constitution, two thirds of both houses of the general assembly must assent; the proposed alteration must then be published six months before the succeeding election, and then be again approved by a two-third vote in the succeeding assembly.

ALABAMA.

The legislative power is vested in two branches, a senate and house of representatives, which together are styled, *the General Assembly of the State of Alabama*.

The representatives are elected annually, and are apportioned among the different counties in proportion to the white population; the whole number can not exceed one hundred, nor fall short of sixty. The present number is one hundred. The senators are elected for three years, and one third of them are chosen every year. Their number can not be more than one third, nor less than one fourth of the number of representatives. There are thirty-three at present.

The executive power is vested in a governor, who is elected by the people for two years; and is eligible four years out of six.

The representatives and one third of the senators are elected annually on the first Monday in August, and the day following; and the governor is elected biennially at the same time.

The general assembly meets annually, formerly at *Tuscaloosa*, in future at *Montgomery*, on the fourth Monday in October.

The right of suffrage is possessed by every white male citizen of twenty-one years of age, who has resided within the state one year preceding an election, and the last three months within the county, city, or town, in which he offers his vote.

The judicial power is vested in a supreme court (consisting of three justices), which has appellate jurisdiction only; in a court of chancery, consisting of three chancellors, the state being divided into three chancery districts; in circuit courts, each held by one judge, the state being divided into eight circuits, and such inferior courts as the legislature may establish. The judges of the supreme and circuit courts, and the chancellors, are elected by a joint vote of the two houses of the general assembly, for six years.

MISSISSIPPI.

The original constitution of this state was formed at the town of Washington, near Natchez, in August, 1817; and the present revised constitution was formed by a convention, at Jackson, in October, 1832.

The legislative power is vested in a senate and house of representatives, together styled *the Legislature of Mississippi*. The senators are

chosen for four years, by the people, by districts, one half being elected biennially; and their number can not be less than one fourth, nor more than one third of the whole number of representatives.

The representatives are chosen by the people, by counties, every two years, on the first Monday in November, and the day following; their number not to be less than thirty-six nor more than one hundred, which last is the present number fixed. The legislature meets at Jackson, on the first Monday in January, biennially.

The executive power is vested in a governor, who is chosen by the people, qualified as electors, for two years, and can not hold the office more than four years, in any term of six years. The secretary of state, treasurer, and auditor of public accounts, are all chosen by the people, for two years.

The judicial power is vested in a high court of errors and appeals, held at least twice a year, consisting of three judges, chosen by the people for six years, one being elected in each of the three districts into which the state is divided, and one of the three judges being chosen biennially; in a circuit court, held in each county at least twice in each year, the judges being chosen by the people of each judicial district, and holding their office four years; in a superior court of chancery, the chancellor being chosen by the people of the whole state for six years; in a court of probate, the judge being elected by the people of each county for two years; justices of the peace and constables are also elected for two years.

Every free white male person, of the age of twenty-one years or upward, who shall be a citizen of the United States, and shall have resided in the state one year next preceding an election, and the last four months within the county, city, or town, in which he offers to vote, is a qualified elector. The mode of election is by ballot.

LOUISIANA.

The original constitution of this state was formed in 1812, and a revised constitution was formed by a convention of delegates in May, 1845, and accepted by the people in November, 1845. Some of the provisions of this constitution proving unsatisfactory, the legislature of 1852 called another state convention; which body, on the 31st July, 1852, adopted a third constitution, which was approved by the votes of the people in November, 1852, and is now in operation.

The legislature, styled the *General Assembly of the State of Louisiana*, consists of a senate and house of representatives.

The senators are thirty-two in number, and chosen by the people, by districts, for the term of four years, so classified that one half go out of office every two years.

The representatives, not less than seventy nor more than one hundred, are chosen by the people, by parishes, for a term of two years. Members may address either house in the English or French language.

The governor and lieutenant-governor, chosen by a plurality of electors, hold office for four years. The governor is ineligible for the next four years. The lieutenant-governor is president of the senate, and acts as governor during the inability or disability of that officer. The governor may veto a bill, but two thirds of such houses may pass it in spite of such veto.

The state elections are held biennially in November, and the sessions

of the legislature are held annually, at Baton Rouge, commencing on the third Monday in January, and the period of the session is limited to sixty days.

The secretary of state and state treasurer are elected by the people, the former for four, and the latter for two years.

The supreme court, which sits in New Orleans, consists of a chief-justice and four associate justices, elected by the people for ten years—the chief-justice by the whole state, and the associates in judicial districts. The judges are so classified that the term of one expires every two years. Inferior courts may be created by the legislature. The inferior judges, attorney-general, district-attorneys, sheriffs, and other judicial officers, are chosen by the people.

The state is prohibited from subscribing to the stock of any bank, or loaning its money or credit thereto. Banking corporations may be created by special acts or general laws.

The right of suffrage extends to all free white males, citizens of the United States, who have resided one year in the state next preceding the election, and six months in the parish where he offers to vote.

No person who fights a duel, acts as second, or sends or accepts a challenge, can hold an office or enjoy the right of suffrage. Bribery disqualifies from holding office.

There shall be a board of public works, elected by the people, to superintend internal improvements; also a superintendent of public education.

ARKANSAS.

The constitution of this state was formed by a convention of delegates, at Little Rock, in January, 1836.

The legislative power is vested in a general assembly, consisting of a senate and house of representatives.

The senators are elected by the people, by districts, for a term of four years; the representatives by counties, for two years. The senate consists of not less than seventeen nor more than thirty-three members; the house of representatives of not less than fifty-four, nor more than one hundred members.

The general elections are holden every two years, on the first Monday in October, and the general assembly meets biennially, at Little Rock, on the first Monday of November. All general elections are to be *viva voce*, until otherwise directed by law.

The executive power is vested in a governor, elected by the people once in four years; but he is not eligible for more than eight years in any term of twelve years.

The judicial power is vested in a supreme court of three justices, having appellate jurisdiction only, except in particular cases pointed out by the constitution; in circuit courts, of which there are seven in the state, each held by one judge; in county courts and justices of the peace.

The judges of the supreme and circuit courts are chosen by the general assembly, the former for a term of eight years, the latter for four years. Justices of the peace are elected by the people for a term of two years. Judges of the county courts are chosen by the justices of the peace.

Every white male citizen of the United States, who has been a citizen of the state of Arkansas for six months, is deemed a qualified elector, and entitled to vote at elections. Provided that soldiers and seamen of the army or navy of the United States are not so entitled.

TENNESSEE.

In 1796, the people of Tennessee, by a convention at Knoxville, formed a constitution; and Tennessee was, the same year, admitted into the Union as an independent state. On the third Monday in May, 1834, a convention met at Nashville, for the purpose of revising and amending the constitution; and the constitution, as amended by the convention, was ratified by the people in March, 1835.

The legislative authority is vested in a general assembly, consisting of a senate and house of representatives.

The number of representatives is apportioned among the several counties, according to the number of qualified voters, and can not exceed seventy-five (the present number), until the population shall be a million and a half, and can never afterward exceed ninety-nine.

The number of senators is apportioned among the several counties according to the number of voters, and can not exceed one third of the number of representatives. The present number is twenty-five.

The time for the election of the governor, senators, and representatives, is on the first Thursday in August, once in two years, and the time of the meeting of the general assembly is on the first Monday in October, next ensuing the election, at Nashville.

The supreme executive power is vested in a governor, who is chosen by the people for two years, and is not eligible more than six years in any term of eight.

Every free white man of the age of twenty-one years, being a citizen of the United States, and a citizen of the county wherein he may offer his vote, six months next preceding the day of election, is entitled to vote for civil officers.

The judicial power is vested in one supreme court, and such inferior courts as the legislature may, from time to time, ordain and establish, and in the judges thereof, and in justices of the peace.

The supreme court is composed of three judges, one of whom must reside in each of the three grand divisions of the state. The judges are elected by a joint vote of both houses of the general assembly, those of the supreme court for the term of twelve years, and those of the inferior courts for eight years. Attorneys for the state are elected in the same manner, for six years.

Ministers of the gospel are not eligible to a seat in either house of the legislature. No person who denies the being of a God, or a future state of rewards and punishments, can hold any civil office. Lotteries are prohibited; and persons who may be concerned in duels are disqualified for holding office in the state.

KENTUCKY.

ON the separation of Kentucky from Virginia in 1790, a constitution was adopted which continued in force until 1799, when a second one was formed. The present constitution being the third, was adopted by a convention of delegates at Frankfort, June 11, 1850, and was ratified by the people in August, 1850.

The legislative power is vested in a senate and house of representatives, which together are styled the general assembly.

The senators are thirty-eight in number, chosen by the people from single districts for a term of four years. Representatives, one hundred in number, are chosen by the people, for a term of two years.

A governor and lieutenant-governor are elected by the people for a term of four years. The governor is ineligible for the four years succeeding the expiration of his term. The lieutenant-governor is president of the senate, and on him the duties of governor devolve in case the office of the latter becomes vacant.

The general election takes place on the first Monday in August bienni-

ally, and the legislature meets on the first Monday in November, biennially, at Frankfort. The state officers—viz. the treasurer, auditor of public accounts, register of the land office, and attorney-general, are elected by the people for a term of four years.

The judicial power is vested in a court of appeals, circuit, and county courts; the judges of each elected by the people. The judges of the court of appeals are four in number, chosen in districts, for eight years; there are twelve judges of the circuit courts, one being chosen in each of the judicial districts of the state, for a term of six years; the county courts consist of a presiding judge and two associates in each county, chosen for a term of four years. All county officers are elected by the people.

Every free white male citizen twenty-one years of age or over, resident in the state two years, and in the county where he offers to vote one year, next preceding the election, may vote at such election. Elections by the people are *viræ voce*, and not by ballot.

The governor may return a bill passed by the legislature, but a majority of the members elected to each house may pass the bill afterward and it then becomes a law, notwithstanding his objections.

OHIO.

THE original constitution of Ohio was formed at Chillicothe in 1802, and continued in operation until 1851, when a new constitution was framed at Columbus, by a convention of delegates. March 10th, and adopted by the people, June 17, 1851.

By this constitution, the legislative power is vested in a general assembly, consisting of a senate and house of representatives. The senators and representatives are elected biennially by the electors in the respective counties or districts, on the second Tuesday in October; their term of office commences on the first day of January thereafter, and continues two years. All regular sessions of the general assembly commence on the first Monday of January, biennially, at Columbus, which is to continue to be the seat of government until changed by law.

The senate consists of 35 members, chosen by single districts, except the first comprising the county of Hamilton, which is entitled to three senators. The whole number of representatives is fixed at 100, who are apportioned among the several counties by a plan laid down in the constitution, on the basis of population, according to the federal census, or such other mode as the general assembly may direct, once in every ten years, which is to continue for the ten years next succeeding such apportionment.

The executive department consists of a governor, lieutenant-governor (who is president of the senate), secretary of state, auditor, treasurer, and an attorney-general, who are chosen by the people at the biennial election, on the second Tuesday in October. These officers hold their offices for two years, except the auditor whose term is four years. The respective terms commence on the second Monday in January. The board of public works, consisting of three members, is elected by the people, one annually for the term of three years.

The judicial power is vested in a supreme court, in district courts, courts of common pleas, courts of probate, justices of the peace, and in such other courts, inferior to the supreme court, as the general assembly may establish; the five supreme court judges hold their office five years, the term of one of the judges expiring annually. There are nine judges of the common pleas, elected by district for five years. A judge of probate court is elected in each county for three years; a competent number of justices of the peace in each township are elected for the same term. All these elections are by the people.

The elective franchise is enjoyed by every white male citizen of the United States, of the age of 21 years, who shall have been a resident of the state one year next preceding the election, and of the county, township, or ward in which he resides such time as may be provided by law. All elections are by ballot. No person in the military, marine, or naval service of the United States, shall by being stationed within the state, be considered a resident.

No new debts may be contracted by the state, exceeding in the aggregate 750,000 dollars. The credit of the state shall not be given or loaned to any individual association or corporation whatever, nor shall the state hereafter, become a joint owner or stockholder in any company or association. The general assembly shall never authorize any county, city, town, or township, by vote of its citizens, or otherwise, to become a stockholder in any joint-stock company, corporation, or association whatever; or to raise money for, or loan its credit to, or in aid of, any such company, corporation, or association. The state shall never contract any debt for purposes of internal improvement. The general assembly shall pass no special act conferring corporate powers; corporations may be formed under general laws, subject to alteration or repeal. Stockholders in corporations are individually liable for all dues therefrom over and above their stock to a further sum equal in amount to such stock. No act authorizing associations with banking powers shall take effect until it shall be submitted to, and approved by, the people at a general election. Lotteries and the sale of lottery tickets are forever prohibited. No license to traffic in intoxicating liquors shall hereafter be granted in the state.

INDIANA.

THE original constitution of Indiana was framed June 29, 1816. The present constitution was adopted by a state convention at Indianapolis, in February, 1851, and accepted by the people the 4th of August following.

The legislative authority is vested in a general assembly, consisting of a senate and house of representatives. The senate is not to exceed fifty

members, elected for a term of four years. The representatives, not to exceed one hundred in number, are chosen for two years. Both senators and representatives are elected by the people of their respective counties or districts, into which the state may from time to time be divided.

The executive power is vested in a governor, who is elected by the people for a term of four years, but is not eligible more than four years in any period of eight years. A lieutenant-governor is also chosen in the same manner, and for the same term; he is president of the senate, and succeeds to the powers and duties of the governor, in case of the death, resignation, removal from office, or inability, of the governor.

The elections are held once in two years, on the second Tuesday in October. All elections by the people are by ballot, and decided by a plurality of votes; all elections by the general assembly are *viva voce*.

The general assembly meets biennially at the capital of the state, *Indianapolis*, on the first Monday of January. The Governor may call special sessions, when in his opinion the public welfare requires it.

The right of suffrage extends to every white male citizen of the United States of the age of 21 years and upward, who shall have resided in the state during the six months immediately preceding an election. Two thirds of the members elected to each house constitute a quorum.

The *judicial* power is vested in a supreme court of not less than three, nor more than five judges, elected by the people at large, for a term of six years, in circuit courts, the judges of which (one in each) are elected by the people in each judicial circuit, for a term of six years; and in such inferior courts as the general assembly may establish.

ILLINOIS.

THE original constitution of Illinois was framed in August, 1818. The present constitution was adopted by a state convention in August, 1847, and accepted by the people in March, 1848.

The legislative authority is vested in a general assembly, consisting of a senate, the members of which, twenty-five in number, are elected for four years, one half every two years; and of a house of representatives, seventy-five in number, elected for two years. These numbers to be increased after the population of the state shall be one million, but the number of representatives shall never exceed one hundred. Senators must be thirty years of age, and five years inhabitants of the state. Representatives must be twenty-five years of age, citizens of the United States, and three years inhabitants of the state.

The governor and lieutenant-governor, chosen by a plurality of votes, once in four years, on the Tuesday after the first Monday in November, shall be thirty-five years of age, citizen of the United States for fourteen years, and residents of the state for ten years. The governor is not eligible for two consecutive terms. A majority of members elected to both houses may defeat the governor's veto. A majority of the members elected to each house, is required for the passage of any law.

The general assembly meets biennially at *Springfield*, on the first Monday in January; and the governor is authorized to convene it on extraordinary occasions at other times.

All white male citizens, twenty-one years old, resident in the state for one year, may vote at elections.

The judicial power is vested in a supreme court of three judges, elected

by the people, for a term of nine years at the first election, and afterward for three years; also in circuit courts of one judge each, elected by the people in nine judicial circuits into which the state is divided; and county courts of one judge each elected by the people for four years.

No state-bank can be created or revived. Acts creating banks must be submitted to the people. Stockholders are individually liable to the amount of their shares. Slavery and lotteries are prohibited. The credit of the state can not be lent. Corporations, not for banking purposes, may be established under general laws.

MICHIGAN.

THE original constitution of Michigan was framed at Detroit in May, 1835. The present constitution was adopted by a convention at Lansing, August 15, 1850, and ratified by the people in November, 1850.

The legislative power is vested in a senate and house of representatives, called the legislature; and the style of the laws is, "The people of the state of Michigan enact." The senate consists of thirty-two members; the house of representatives of not less than sixty-four, nor more than one hundred members. The senators and representatives are elected by the people, for two years, and by single districts.

The executive power is vested in a governor, elected by the people for a term of two years; a lieutenant-governor is chosen by the people for the same term, and both are elected at the times and places for choosing members of the legislature. The lieutenant-governor is president of the senate, and succeeds to the powers and duties of the office of governor, in case of his impeachment, removal from office, death, inability, resignation, or absence from the state.

The general election is held on the Tuesday succeeding the first Monday in November, 1852, and on the same day in every second year thereafter. The legislature meets at Lansing, which is established as the seat of government, on the first Wednesday in February, 1852, and on the first Wednesday in January of every second year thereafter.

A majority of each branch of the legislature constitutes a quorum. Two thirds of the members elected to each house are required to pass a bill or concurrent resolution, if vetoed by the governor. All elections by the legislature are *visa voce*. Elections by the people are by ballot, except for township officers, and are decided by a plurality of votes.

The right of suffrage is held by every white male citizen above the age of twenty one years; every white male citizen residing in the state on the 24th of June, 1835; every white male inhabitant residing in the state on the 1st of January, 1850, who has declared his intention to become a citizen of the United States six months preceding an election, or who has resided in the state two years and six months, and declared his intention as aforesaid, and every civilized male inhabitant of Indian descent, a native of the United States, and not a member of any tribe; but no citizen or inhabitant shall be entitled to vote at any election unless he has resided in the state three months, and in the township or ward in which he offers to vote ten days next preceding such election.

At each biennial election, a secretary of state, superintendent of public instruction, treasurer, commissioner of the land office, an auditor-general, and an attorney-general, are chosen by the people at large, for the term of two years. County officers are also chosen every two years.

The judicial power is vested in a supreme court, circuit courts, probate courts, and in justices of the peace. Municipal courts may be established by the legislature, in cities. The judges of the several circuit courts are to be judges of the supreme court for the term of six years, and thereafter, until the legislature otherwise provide. Four of them constitute a quorum. After six years, the legislature may provide by law for the organization of a supreme court, to consist of one chief justice and three associate-justices, to be chosen by the electors of the state. Their term of office shall be eight years. The judges are to be so classified that but one of them shall go out of office at the same time.

The circuit judges are to be eight in number, each chosen in a judicial circuit, for the term of six years. The legislature may alter the limits or increase the number of the circuits. The judges of the courts of probate are chosen by the people in the respective counties, one in each county, for a term of four years. Four justices of the peace are elected by the people, classified, and one chosen annually in each organized township, for a term of four years.

Slavery, and imprisonment for debt, are prohibited. The personal property of debtors, under five hundred dollars, and every homestead not exceeding forty acres of land, and occupied dwelling, not exceeding fifteen hundred dollars, are exempt from sale on execution or any other final process from a court, for any debt contracted after the adoption of this constitution.

MISSOURI.

THE constitution of this state was formed by a convention at St. Louis, in June, 1820. In January, 1846, a new constitution was formed by a state convention at Jefferson; which was submitted to the people on the first Monday of August in the latter year, and rejected. The constitution

adopted in 1820, is therefore, still in force, and the outlines thereof are as follows :—

The legislative power is vested in a senate and house of representatives, styled together the *General Assembly*. The senators, in number not fewer than fourteen, nor more than thirty-three, shall be thirty years old, have the qualification of representatives, be inhabitants of the state for four years, and shall be chosen by districts, for four years, one half every second year. The representatives, in number not more than one hundred, shall be chosen in counties every second year; they must be free white male citizens of the United States, twenty-four years old, inhabitants of the state for two years and of the county for one year next before the election. Every free white male citizen of the United States, twenty-one years old, resident in the state one year before the election, and three months in the place where he offers his vote, may vote at elections.

The elections are held biennially, on the first Monday in August. The legislature meets every second year, on the first Monday in November, at the city of Jefferson.

The executive power is vested in a governor, who is elected by the people, once in four years, and is ineligible for the next four years. A lieutenant-governor is also chosen, for the same term, who is, *ex officio*, president of the senate. The governor and lieutenant-governor must be thirty-five years old, natives of the United States, or citizens thereof at the adoption of the constitution. The governor may veto a bill, but a majority of both houses may pass it, notwithstanding his veto. If the office of governor be vacant, it shall be filled by the lieutenant-governor, and after him by the president of the senate *pro tem*.

The supreme court consists of three judges, elected by the people of the state, and has appellate jurisdiction only. Circuit courts have exclusive criminal jurisdiction, unless deprived of it by law, and hear all civil cases not cognizable by a justice of the peace. The equity jurisdiction is divided between the circuit and supreme courts. Judges of the supreme court must be thirty years old, may hold office until sixty-five, and may be removed upon address of two thirds of both houses of the legislature.

One bank, and no more, may be established, with not more than five branches, and a total capital of not more than five millions of dollars, one half, at least, reserved to the state.

The general assembly, by a vote of two thirds of the members, may propose amendments to the constitution, and if, at the first session thereafter, they are confirmed by a vote of two thirds of the members, they become part of the constitution.

IOWA.

The constitution of the state of Iowa, was adopted by a state convention at Iowa city, on the 18th of May, 1846, and accepted by the people in August of the same year.

The general assembly consists of a senate and house of representatives, the sessions of which, held at *Iowa city*, are biennial, commencing on the first Monday in December after their election, which takes place on the first Monday of August, biennially. Senators, not less than one third, nor more than one half as numerous as the representatives, must be twenty-five years of age, chosen for four years, one half biennially. Representatives shall be chosen for two years; they must be twenty-one years of age, and have resided in the state one year at least, and in their district thirty days

previous to the election. The representatives shall not be less than twenty-six, nor more than thirty-nine, till the white population amounts to one hundred and seventy-five thousand ; afterward they shall not be less than thirty-nine, nor more than seventy-two.

Every white male citizen of the United States, twenty-one years old, idiots, insane, or infamous persons excepted, having resided in the state six months, and in the county where he claims to vote twenty days, has the right of suffrage.

The executive power is vested in a governor, chosen by a plurality of votes for a term of four years ; he must be thirty years old, and have resided in the state for two years. If the governor, for any cause, be disabled, the secretary of the state, and after him the president of the senate, and after him the speaker of the house, acts as governor.

The judicial authority is vested in a supreme court, consisting of a chief justice and two associates, elected by the general assembly for six years ; in district courts, the judges of which are elected by the people in their respective districts, each for five years ; and in justices of the peace.

No state debts can be created exceeding one hundred thousand dollars, except in case of war or insurrection, unless authorized by a special law approved by a majority of the votes of the people. No corporation with banking privileges shall be created, and private banking shall be prohibited by law. Other corporations may be organized under *general laws*, with certain restrictions. The state shall never become a stockholder in any corporation. A superintendent of public instruction is chosen by the people once in three years ; also a secretary of state, an auditor, and a treasurer, once in two years.

Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state. To amend the constitution, the general assembly must submit the question of a convention to the people at the next general election ; and if a majority are in favor thereof, the assembly shall provide for the election of delegates to a convention to be held in six months after the vote of the people in favor thereof.

WISCONSIN.

THE constitution was adopted by a state convention at Madison city, February 1, 1848. The legislature consists of a senate and assembly, and meets annually on the first Monday in January, at Madison.

The senators, in number not more than one third, nor fewer than one fourth, of the assembly, are chosen by the people, in districts for two years, one half each year. Members of the assembly, in number not fewer than fifty-four, nor more than one hundred, must be qualified electors in their districts, resident one year in the state, and chosen annually on the Tuesday succeeding the first Monday of November.

All males twenty-one years old, residents of the state for one year next before the election, who are white citizens of the United States, or white foreigners who have declared their intention to become citizens, or persons of Indian blood, once declared by the laws of the United States to be citizens, or civilized persons of Indian descent, not members of a tribe, may vote at elections.

The executive power is vested in a governor, who is chosen by the people, by a plurality of votes, for a term of two years. In default of the governor, his duties are discharged by a lieutenant-governor, who is cho

sen by a plurality of votes, for the same term and with the same qualifications as the governor, and is president of the senate, with a casting vote. The governor's *veto* may be overruled by a vote of two thirds of the members present in each house.

The judicial power is vested in a supreme court, in circuit courts, judges of probate, and justices of the peace, all elected by the people. Judges of the circuit courts are chosen at a separate election by the people, by circuits, for six years. The same judges sit as a supreme court, to try cases upon appeal, without a jury. The legislature may erect a separate supreme court, to consist of three judges chosen by the people for six years, in which case, the number of circuit judges may be reduced. Probate judges and justices of the peace are elected by the people for two years. In every organized county the legislature may appoint one or more persons, with powers not exceeding those of a circuit judge at chambers.

The credit of the state shall never be lent; nor shall any debt be contracted, nor money paid for internal improvements, unless the state hold trust property dedicated to such purposes. Except in case of war, invasion, or insurrection, no debt shall be contracted, exceeding one hundred thousand dollars. The legislature shall prevent towns and cities from contracting debts. No general or special law to create a bank or banks shall be passed, till a majority of the votes at a general election shall have been in favor of a bank, and until such a majority have afterward approved the act as passed. Corporations, except banks, may be created under general laws, but not by special acts, except in specified cases.

Slavery and imprisonment for debt are prohibited. A state superintendent of education shall be chosen by the people.

Amendments to the constitution agreed to by a majority of members of both houses of the legislature, if again approved by a majority of the succeeding legislature, shall be submitted to the people, and if approved by a majority of their votes, shall become a part of the constitution. A majority of each house may recommend a convention to change the constitution, and a majority of votes at a general election afterward, may authorize the calling of such convention.

TEXAS.

THE constitution of the state of Texas was adopted by a convention of delegates at the city of Austin, in August, 1845, and was approved by the people on the 13th of October following.

The legislative power is vested in a senate and house of representatives, styled together *the Legislature of the State of Texas*. The style of laws is, "Be it enacted by the legislature of the state of Texas."

The senators are elected by the people, by districts, for the term of four years, one half being chosen biennially; their number is not to be less than nineteen, nor more than thirty-one. The representatives are elected for two years, by the people, by counties, apportioned according to their free population; the number is not to be less than forty-five nor more than ninety.

Elections by the people are to be held in the several counties, cities, or towns, at such times as may be designated by law. The sessions of the legislature are to be held at the city of Austin, at such times as may be prescribed by law, until the year 1850, when the seat of government shall be permanently located by the votes of the people.

The executive power is vested in a governor, elected by the people, at

the time and places of elections for members of the legislature ; he holds his office for the term of two years, but is not eligible for more than four years in any term of six years. At the same time, a lieutenant-governor is chosen for the same term, who is president of the senate, and succeeds the governor in case of death, resignation, removal from office, inability, refusal to serve, impeachment, or absence from the state, of the latter.

The judicial power is vested in a supreme court of three judges, in district courts, and in such inferior courts as the legislature may, from time to time, establish. The judges of the supreme and district courts are elected by the people for a term of six years ; the former by the votes throughout the state, the latter by districts.

The right of suffrage is granted to every free male person over the age of twenty-one years (Indians not taxed, Africans, and descendants of Africans, excepted), who shall have attained the age of twenty-one years, and who shall be a citizen of the United States, or who was, at the adoption of this constitution by the Congress of the United States, a citizen of the republic of Texas, and shall have resided in this state one year next preceding an election, and the last six months within the district, city, or town, in which he offers to vote ; provided that soldiers and seamen or marines of the army or navy of the United States, shall not be entitled to vote at any election created by this constitution.

The legislature shall have no power to pass laws for the emancipation of slaves, without the consent of their owners. No banking or discounting company shall hereafter be created, renewed, or extended. No person shall be imprisoned for debt.

COMPARATIVE VIEW OF THE STATE CONSTITUTIONS.

In the six New England states, the executive and legislative branches of the government are all elected annually. The representation in the lower branch of the legislature is more numerous in those states than in the other states of the Union ; the representatives in the New England states being elected by *towns* to the house of representatives, while in all other parts of the Union the representation in that branch of the legislature is by *counties* ; *districts* in South Carolina, and *parishes* in Louisiana, being local divisions synonymous with counties.

An executive council, elected by the people, is peculiar to the state of New Hampshire. There are, however, executive councils, elected by the legislature, in Maine, Massachusetts, Virginia, and North Carolina.

The governor possesses the veto power, or qualified negative, on bills and resolutions which have been passed by the legislature, in the following thirteen states, viz. : Maine, New Hampshire, Massachusetts, New York, Pennsylvania, Georgia, Mississippi, Louisiana, Michigan, Texas, Iowa, Wisconsin and California ; the executive veto can only be overruled by a two third vote of both branches of the legislature.

In the following ten, states the governor may return bills or resolutions passed by the legislature, but his veto may be overruled by a majority of

the members elected to both houses, viz. : Vermont, Connecticut, New Jersey, Alabama, Florida, Arkansas, Kentucky, Indiana, Illinois, and Missouri.

In the following eight states, the approval of the governor is not required to bills or resolutions passed by the legislature, but the same may become laws, after receiving the signature of the speaker or presiding officer of each branch of the legislature, viz. : Rhode Island, Delaware, Maryland, Virginia, North Carolina, South Carolina, Tennessee, and Ohio.

In all of the states, except South Carolina, the governor is elected by the people ; in that state, he is chosen by the legislature. Lieutenant-governors are chosen by the people in Massachusetts, Vermont, Rhode Island, Connecticut, New York, Virginia, Kentucky, Indiana, Illinois, Wisconsin, Missouri, Michigan, Louisiana, Texas, and California ; in South Carolina, by the legislature. In the other states, the office of lieutenant-governor does not exist.

In the New England states, a majority of all the votes given is required to constitute a choice, in elections generally, by the people ; there are exceptions in Maine, Vermont, and Connecticut, in elections for state senators, and in Connecticut, on second trials, at adjourned meetings, for the choice of representatives to the general assembly, in which cases a plurality of votes only is required for a choice. In Maine, New Hampshire, and Connecticut, members of Congress are also elected by plurality. In all of the states except those of New England, a plurality of votes given effects a choice in elections by the people.

In all of the states, at popular elections, the manner of voting is by ballot, except in Virginia, Kentucky, Missouri, and Arkansas, in which states, in all elections to any office of trust, honor, or profit, with exceptions as to electors of president and vice-president, the votes are given openly, or *viva voce*, and not by ballot.

North Carolina is now the only state which requires a freehold qualification for electors for either branch of the legislature, members of the senate in that state being chosen by freemen possessed of a freehold within the district where they reside and vote, of fifty acres of land.

Judges of the courts, and other judicial officers, are now elected by the people in the states of New York, Pennsylvania, Maryland, Virginia, Georgia, Mississippi, Louisiana, Texas, Kentucky, Ohio, Indiana, Illinois, Missouri, Michigan, Wisconsin, Iowa (except supreme court), and California. In the other states, they are appointed either by the governor and senate, or by the legislature. Mississippi was the first state to adopt an elective judiciary, viz., in 1832.

Persons of color are entitled to vote at elections in the states of Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island. In the state of New York, they are also qualified to vote, if possessed of a freehold estate of the value of two hundred and fifty dollars, without any incumbrance. In all other states of the Union, persons of color, or those of African descent, are excluded from the right of voting at elections.

Ministers of the gospel are not eligible as legislators in Maryland, Virginia, North Carolina, Tennessee, and Texas. In South Carolina, Kentucky, Louisiana, Mississippi, and Missouri, they are eligible neither as governors nor legislators. In Delaware, they are not eligible to any office whatever.

New Hampshire and Massachusetts are the only states whose constitutions make provision for religious establishments. In New Hampshire the legislature is empowered to *authorize*, and in Massachusetts the legislature is enjoined to *require*, the several towns, parishes, &c., in the state to make adequate provision, at their own expense, for the support and maintenance of *protestant* teachers, or ministers of the gospel. The constitution of New Hampshire requires the governor, members of the council, and of both branches of the legislature, to be "of the *protestant* religion."

The *council of censors* is peculiar to Vermont; that body is chosen once in seven years, and among their other powers, they can call a convention to amend the constitution of the state.

Massachusetts and New Hampshire are the only states whose constitutions appoint *titles* to the officers of government. The governor of Massachusetts is entitled "*His Excellency*," and the lieutenant-governor "*His Honor*." The governor of New Hampshire is entitled "*His Excellency*."

CALIFORNIA.

THE constitution of California was formed by a convention of delegates at *Monterey*, in September, 1849, and ratified by the people in November, 1849. The constitution being submitted to Congress, the state was admitted into the Union, September 9, 1850.

The legislative power is vested in a senate and assembly, called the legislature of California. Senators not less in number than one third, nor more than one half the number of members of assembly, are elected by the people in districts, for a term of two years, so classified that one half may be chosen annually. Members of the assembly are elected by the people annually in districts. There shall not be less than twenty four, nor more than thirty-six, until the population is one hundred thousand; and afterward, there shall never be more than eighty nor less than thirty. Senators and members of the assembly must be qualified electors in their districts, and be citizens and inhabitants of the state one year, and of their districts six months, before their election.

The executive power is vested in a governor, elected by the people for a term of two years. He must be over twenty-five years of age, a citizen of the United States, and a resident of the state two years next before the election. He may veto a bill, but two thirds of the legislature may pass it afterward. A lieutenant-governor is elected by the people at the same time, and for the same term with the governor, and must have the same qualifications; he is president of the senate, and in case the office of governor be vacant, he acts as governor. A secretary of state is appointed by the governor. A comptroller, treasurer, attorney and surveyor general, are to be elected by the people at the same time, and for the same term as the governor.

The annual election is held on the Tuesday next after the first Monday of November, and the sessions of the legislature are to be held annually, and commence on the first Monday in January. The place for the seat of government has been fixed at Vallecjo. Divorces by the legislature, lotteries, banking charters, and paper-money, are prohibited.

In elections by the legislature, the members vote *visa voce*—by the people by ballot.

The judicial power is vested in a supreme court, district courts, and county courts; the judges of all which are elected by the people. The supreme court consists of a chief justice and two associates, elected for a term of six years. District judges are chosen for a term of six years. One county judge is elected in each county for four years. County officers are chosen by the people. A superintendent of public instruction is elected by the people of the state, for a term of three years.

Every white male citizen of the United States, and every citizen of Mexico under the treaty of Queretaro, twenty-one years of age, resident in the state six months, and of the district where he offers to vote thirty days preceding the election, is entitled to vote. Indians and their descendants may be permitted to vote in special cases, by a two thirds concurrent vote of the legislature.

CHRONOLOGICAL TABLE

*Of the principal political and other Events in American History, from the
Discovery in 1492 to 1853.*

- 1492. Aug. 3, Columbus sets sail from Palos, in Spain.
- “ Oct. 12, First land discovered (one of the Bahamas).
- “ “ 27, Cuba discovered.
- “ Dec. 6, Hayti or Hispaniola discovered.
- 1493. Jan. 16, Columbus returns to Spain.
- “ Sept. 25, Columbus sails from Cadiz on his second voyage.
- “ Dec. 8, Columbus lays the foundation of Isabella, in Hispaniola, the first European town in the New World.
- 1494. May 5, Jamaica discovered.
- 1496. Mar. 10, Columbus sails again for Spain.
- 1497. June 24, North America discovered by the Cabots.
- 1498. May 30, Columbus sails from Spain on his third voyage.
- “ July 31, Trinidad discovered.
- “ Aug. 1, S. America discovered by Columbus.
- 1499. June 16, S. America discovered by Americus Vespucius.
- 1500. Amazon river discovered by Pinzon.
- “ April 23, Brazil discovered by Cabral.
- 1502. May 11, Columbus sails on his last voyage.
- “ Aug. 14, Bay of Honduras discovered by Columbus.
- 1504. Sept. 2, Columbus returns to Spain.
- 1506. May 20, Columbus dies, in his fifty-ninth year.
- 1508. St. Lawrence river first navigated by Aubert.
- 1512. April 2, Florida discovered by Juan Ponce de Leon.
- “ Baracoa, the first town in Cuba, built by Diego Velasquez.
- 1513. Sept. 25, Pacific ocean discovered by Vasco Nunez de Balboa.
- 1516. Rio de la Plata discovered by Juan Diaz de Solis.
- 1517. Patent granted by Charles V. for an annual import of 4,000 negro slaves to Hispaniola, Cuba, Jamaica, and Puerto Rico.
- “ Yucatan discovered by Francis Hernandez Cordova.
- 1519. Mar. 13, Cortes lands at Tabasco, in Mexico.
- “ April 22, Cortes arrives at San Juan de Ulloa.
- “ Vera Cruz settled by Cortes.
- “ Nov. 8, Cortes enters Mexico.
- 1520. Montezuma dies.
- “ Nov. 7, Straits of Magellan discovered by Ferdinand Magellan.
- 1521. Aug. 13, Mexico taken by Cortes.
- 1522. Bermudas discovered by Juan Bermudez.
- 1525. First invasion of Peru by Pizarro and Almagro.
- 1528. Pizarro appointed governor of Peru.
- 1531. Second invasion of Peru by Pizarro.
- 1532. First colony founded in Peru by Pizarro.
- 1535. Chili invaded by Almagro.
- 1537. California discovered by Cortes.
- 1539. May 18, Ferdinand de Soto sails from Havana, on an expedition for the conquest of Florida.
- 1541. Aug. 6, Orellana explores the Amazon, and arrives at the ocean.
- 1545. Mines of Potosi, in South America, discovered.
- 1548. Platina discovered in the south of Mexico.
- 1563. Slaves first imported into the West Indies by the English.
- 1576. Elizabeth's and Frobisher's straits discovered by Martin Frobisher.
- 1585. June 26, Virginia visited by Sir Walter Raleigh.

- 1586. Tobacco introduced into England by Mr. Lane.
- 1587. Aug. 13, first Indian baptized in Virginia.
- 1602. May 15, Cape Cod named by Bartholemew Gosnold.
- " " 21, Martha's Vineyard discovered by Gosnold.
- 1607. May 13, Jamestown, Virginia, founded.
- 1608. July 3, Quebec founded.
- 1609. Hudson river discovered by Henry Hudson.
- 1611. Lake Champlain discovered by Champlain.
- 1616. Baffin's bay discovered by Baffin.
- 1617. Pocahontas dies in England.
- 1619. June 19, first general assembly in Virginia.
- 1619. May 20, Long Island sound first navigated by Dermer.
- 1620. Aug. 5, Puritans sail from Southampton, England, for America.
- " Nov. 10, Puritans anchor at Cape Cod.
- " " first white child born in New England.
- " Dec. 11, first landing at Plymouth.
- " " 25, first house built at Plymouth.
- " Slaves first introduced into Virginia by the Dutch.
- 1621. May 12, first marriage at Plymouth.
- 1630. Boston settled.
- " Oct. 19, first general court of Massachusetts colony, holden at Boston.
- 1631. Delaware settled by the Swedes.
- 1632. First church built at Boston.
- 1633. First house erected in Connecticut, at Windsor.
- 1634. Maryland settled.
- " Roger Williams banished from Massachusetts.
- 1636. Hartford, Connecticut, settled.
- " Providence founded by Roger Williams.
- 1637. First synod convened at Newtown (now Cambridge), Massachusetts.
- 1638. New Haven founded.
- " Harvard college founded.
- " June 1, earthquake in New England.
- 1639. Jan. 14, convention at Hartford, Connecticut, for forming a constitution.
- " April, first general election at Hartford.
- " First printing-press established at Cambridge, Massachusetts, by Stephen Day.
- 1642. Oct. 9, first commencement at Harvard college.
- 1643. May 19, union of the New England colonies.
- 1646. First act passed by the general court of Massachusetts, for the spread of the gospel among the Indians.
- 1647. May 19, first general assembly of Rhode Island.
- 1648. First execution for witchcraft.
- " New London settled.
- 1650. Harvard college chartered.
- " Constitution of Maryland settled.
- 1651. Navigation-act passed by Great Britain.
- 1652. First mint established in New England.
- 1654. Yale college first projected by Mr. Davenport.
- 1663. Jan. 26, earthquake felt in New England, New Netherlands, and Canada.
- 1664. Aug. 27, surrender of New Amsterdam to the English.
- 1665. June 12, New York city incorporated.
- 1672. First copyright granted by Massachusetts.
- 1673. Mississippi river explored by Marquette and Joliet.
- 1675. June 24, commencement of King Philip's war.
- 1676. Aug. 12, death of King Philip.
- 1681. Mar. 4, grant of Pennsylvania to William Penn.
- 1682. Oct. 24, arrival of William Penn in America.
- " Louisiana taken possession of by M. de la Sale.
- 1683. First legislative assembly in New York.
- " Roger Williams dies, in his eighty-fourth year.
- 1686. First episcopal society formed in Boston.
- 1687. First printing-press established near Philadelphia, by William Bradford.
- 1688. New York and New Jersey united to New England.
- 1690. Feb. 8, Schenectady burned by the French and Indians.
- " First paper-money issued by Massachusetts.
- 1692. William and Mary college, Virginia, chartered.

1693. Episcopal church established at New York.
 " First printing-press established in New York, by William Bradford.
 1695. Rice introduced into Carolina.
 1698. First French colony arrive at the mouth of the Mississippi.
 1699. Captain Kidd, the pirate, apprehended at Boston.
 1700. Episcopal church established in Pennsylvania.
 1701. Oct., Yale college chartered and founded at Saybrook.
 1702. Episcopal church established in New Jersey and Rhode Island.
 1703. Culture of silk introduced into Carolina.
 " Duty of £4 laid on imported negroes, in Massachusetts.
 1704. Tonnage duty laid by Rhode Island on foreign vessels.
 " Act "to prevent the growth of popery," passed by Maryland.
 " First newspaper (Boston News Letter) published at Boston, by Batholomew Green.
 1706. Bills of credit issued by Carolina.
 1709. First printing-press in Connecticut, established at New London, by Thomas Short.
 1711. South Sea Company incorporated.
 1712. Free schools founded in Charlestown, Massachusetts.
 1714. First schooner built at Cape Ann.
 1717. Yale college removed from Saybrook to New Haven.
 1718. Impost duties laid by Massachusetts on English manufactures and English ships.
 1719. First presbyterian church founded in New York.
 1720. Tea first used in New England.
 1721. Inoculation for smallpox introduced into New England.
 1722. Paper-money first issued in Pennsylvania.
 1725. First newspaper in New York (the New York Gazette), published by William Bradford.
 1726. First printing-presses established in Virginia and Maryland.
 1727. Earthquake in New England.
 1730. First printing-press and newspaper established at Charleston, South Carolina.
 1732. Tobacco made a legal tender in Maryland at 1d. per pound, and corn at 20d. per bushel.
 " Feb. 22, George Washington born.
 " First printing-press and newspaper established at Newport, Rhode Island.
 1733. Georgia settled.
 " Freemason's lodge first held in Boston.
 1737. Earthquake in New Jersey.
 1738. College founded at Princeton, New Jersey.
 1741. Jan. 1, General Magazine and Historical Chronicle, first published by Benjamin Franklin.
 1742. Faneuil Hall erected at Boston.
 1750. First theatrical performance in Boston.
 1754. Columbia college founded in New York.
 1755. Defeat of General Braddock. July 9.
 " Sept. 8, battle of Lake George.
 " Earthquake in North America.
 " First newspaper (Connecticut Gazette) published at New Haven.
 1756. May 17, war declared with France by Great Britain.
 " First printing-press and newspaper established at Portsmouth, New Hampshire, by Daniel Fowle.
 1758. July 26, Louisburg taken by the English.
 " Aug. 27, Fort Frontenac taken by the English.
 " Nov. 25, Fort Du Quesne (now Pittsburgh) taken by the English.
 1759. Ticonderoga taken by the English.
 " Sept. 18, Quebec taken by the English.
 1761. Mar. 12, earthquake in New England.
 1763. Feb. 10, treaty of peace signed at Paris, between the English and French.
 " First newspaper published in Georgia.
 1764. Mar., right to tax American colonies voted by house of commons.
 " April 5, first act for levying revenue passed by parliament.
 " " 21, Louisiana ordered to be given up to Spain.
 1765. Stamp act passed by parliament.
 " Mar. 22, stamp act receives the royal assent.

1765. May 29, Virginia resolutions against the right of taxation.
 " June 6, general congress proposed by Massachusetts.
 " Oct. 7, congress of twenty-seven delegates convenes at New York, and publishes a declaration of rights and resolutions against the stamp-act.
1766. Feb., Dr. Franklin examined before the house of commons, relative to the repeal of the stamp-act; Mar. 18, stamp-act repealed.
1767. Tax laid on paper, glass, painters' colors, and teas.
1769. Dartmouth college incorporated; American philosophical society instituted at Phila.
1770. Mar. 5, Boston massacre.
1773. Dec. 18, tea thrown overboard at Boston.
1774. Mar. 31, Boston port-bill passed; Sept. 4, first continental Congress at Philadelphia.
 " Dr. Franklin dismissed from the post-office.
1775. April 19, battle of Lexington; May 10, Ticonderoga taken by the provincials.
 " June 17, battle of Bunker's Hill; July 2, General Washington arrives at Cambridge.
 " Dec. 13, resolution of Congress to fit out a navy of thirteen ships.
 " " 31, assault on Quebec, and death of General Montgomery.
1776. Mar. 17, Boston evacuated by the British; July 4, declaration of independence.
 " Aug. 27, battle of Long Island; Sept. 15, British take possession of New York.
 " Oct. 28, battle of White Plains; Nov. 16, capture of Fort Washington.
 " Dec. 26, battle of Trenton.
1777. Jan. 3, battle of Princeton; Aug. 16, battle of Bennington.
 " Sept. 11, battle of Brandywine; Sept. 19, first battle of Stillwater.
 " Sept. 27, British army enters Philadelphia; Oct. 4, battle of Germantown.
 " Oct. 7, second battle of Stillwater; 17, Surrender of the British army under Burgoyne.
 " Nov. 15, articles of confederation adopted by Congress, and finally ratified by the states in March, 1781, Maryland being the last state to adopt them.
1778. Feb. 6, treaty of alliance with France, ratified by Louis XVI.
1779. June 28, battle at Monmouth courthouse; Dec. 29, Savannah taken by the British.
1779. Mar. 3, battle of Briar creek; May 14, Norfolk taken by the British.
 " June 20, battle of Stono Ferry.
 " July 5th & 7th, Fairfield and Norwalk, Conn., burned by the British.
 " July 16, storming and capture of Stony Point by the Americans, under Wayne.
 " July and August, Sullivan's expedition against the Indians on the Susquehanna.
 " Sept. 23, Paul Jones captures two British frigates.
1780. April 14, battle at Monk's Corner, South Carolina; May 6, battle on the Santee river.
 " May 12, surrender of Gen. Lincoln and American army, at Charleston.
 " July 12, French fleet and army arrive at Rhode Island.
 " Aug. 16, battle of Sander's Creek, near Camden.
 " Sept. 23, treason of Gen. Arnold, and arrest of Major Andre.
 " Oct. 2, Major Andre executed; Oct. 7, battle of King's Mountain.
 " Nov. 12, battle of Broad River; Nov. 20, battle at Blackstock.
 " Dec. 20, war between England and Holland.
1781. Bank of North America established.
 " January, expedition of the British, under Arnold, to Virginia.
 " Jan. 17, battle of the Cowpens; Feb., retreat of Gen. Greene in North Carolina.
 " Mar. 15, battle of Guilford courthouse; April 25, battle of Hobkirk's Hill near Camden.
 " Aug. 14, American and French allied army march from the Hudson river near New York, to Virginia.
 " Sept. 6, burning of New London by Arnold.
 " Sept. 8, battle of Eutaw Springs, and close of the campaign in South Carolina.
 " Oct. 19, surrender of Lord Cornwallis and the British army.
1782. Feb. 27, resolutions of the house of commons in favor of peace.
 " Mar. 20, resignation of Lord North, and accession of a whig cabinet in England.
 " April 19, independence of the United States acknowledged by Holland.
 " June 24, last battle of the Revolutionary war — a skirmish near Savannah, Georgia; some slight skirmishes in South Carolina in August, in one of which, Colonel John Laurens of South Carolina was killed.
 " Nov. 13, preliminary articles of peace between the United States and Great Britain, signed at Paris.
1783. January 20, preliminary treaties between France, Spain, and Great Britain, signed at Versailles.
 " Independence of the United States acknowledged by Sweden, Feb. 5; by Denmark Feb. 25; by Spain, March 24; and by Russia, in July.
 " April 11, peace proclaimed by Congress; 19, announced to the army by Washington.
 " Sept. 3, definitive treaty of peace signed at Paris.
 " Oct. 18, proclamation for disbanding the army; Nov. 2, Washington's farewell orders.
 " Nov. 25, New York evacuated by the British.
1784. Feb., first voyage from China to New York.
1785. July 9, and Aug. 5, treaty with Prussia.
1786. Shay's insurrection in Massachusetts; Sept. 20, insurrection in New Hampshire.
1787. Sept. 17, federal constitution agreed on by convention.
1788. Federal constitution adopted by eleven states.
1789. March 4, George Washington elected president.
 " April 30, inauguration of George Washington.

1790. District of Columbia ceded by Virginia and Maryland.
 " May 29, constitution adopted by Rhode Island.
 1791. Mar. 4, Vermont admitted into the Union.
 " Bank of the United States established.
 " First folio Bible printed by Worcester of Mass.
 1792. June 1, Kentucky admitted into the Union.
 1793. Washington re-elected president.
 " Death of John Hancock.
 1794. Insurrection in Pennsylvania.
 1796. June 1, Tennessee admitted into the Union.
 " Dec. 7, Washington's last speech to Congress.
 1797. March 4, John Adams inaugurated president.
 1798. Washington reappointed commander-in-chief.
 1799. Dec. 14, death of George Washington.
 1800. Seat of government removed to Washington.
 " May 13, disbanding of the provisional army.
 1801. March 4, Thomas Jefferson inaugurated president.
 1802. July 20, Louisiana ceded to France by Spain.
 1803. Feb. 19, Ohio admitted into the Union.
 1803. April 30, Louisiana purchased by the United States.
 " August, Commodore Preble bombards Tripoli.
 1805. June 3, treaty of peace with Tripoli.
 1806. Expedition of Lewis and Clark to the mouth of the Columbia.
 1807. June 22, attack on the frigate Chesapeake.
 " July 2, interdict to armed British vessels.
 " Nov. 11, British orders in council.
 " Dec. 17, Milan decree.
 " " 22, embargo laid by the American government.
 1808. Jan. 1, slave-trade abolished.
 " April 17, Bayonne decree.
 1809. March 1, embargo repealed.
 " " 4, James Madison inaugurated president.
 1810. March 23, Rambouillet decree.
 1811. May 16, engagement between the frigate President and Little Belt.
 " Nov. 7, battle of Tippecanoe.
 1812. April 3, embargo laid for ninety days.
 " June 19, proclamation of war. (War declared June 18th.)
 " " 23, British orders in council repealed.
 " Aug. 15, surrender of General Hull.
 " Action between the frigates Constitution and Guerriere.
 " Nov., defeat at Queenstown.
 " Action between the Frolic and Wasp.
 " " " United States and Macedonian.
 " April 8, Louisiana admitted into the Union.
 1813. April 27, capture of York, Upper Canada.
 " May 27, battle of Fort George.
 " June 1, Chesapeake captured by the Shannon.
 " Sept. 10, Perry's victory on Lake Erie.
 " Oct. 5, battle of the Thames.
 " Dec. 13, Buffalo burnt.
 1814. March 28, action between the frigates Essex and Phoebe.
 " July 5, battle of Chippewa.
 " " 25, battle of Bridgewater.
 " August, Washington city captured, and capitol burnt.
 " " 9, 11, Stonington bombarded.
 " " 11, M'Donough's victory on Lake Champlain.
 " Sept. 12, battle near Baltimore.
 " Dec. 24, treaty of Ghent signed.
 " " 25, battle of New Orleans.
 1815. Feb. 17, treaty of Ghent ratified by the president.
 " March, war declared with Algiers.
 1817. Mar. 4, James Monroe inaugurated president.
 " Dec. 10, Mississippi admitted into the Union.
 1818. Dec. 3, Illinois " "
 1819. Dec. 14, Alabama " "

1819. May, first steamship sailed for Europe.
 1820. Mar. 15, Maine admitted into the Union. 21
 1821. July 1, Jackson takes possession of Florida.
 " Aug. 10, Missouri admitted into the Union. 23
 " First settlement of Liberia.
 1824. March 13, convention with Great Britain, for suppression of slave-trade.
 " April 5, convention with Russia in relation to the northwest boundary.
 " August 13, arrival of General Lafayette.
 1825. Mar. 4, John Quincy Adams inaugurated president.
 " Sept. 7, departure of General Lafayette.
 1826. July 4, death of Presidents Adams and Jefferson.
 1829. Feb. 20, resolutions passed by the Virginia house of delegates, denying the right of Congress to pass the tariff bill.
 " March 4, Andrew Jackson inaugurated president.
 " May 2, hail fell in Tuscaloosa, Alabama, to the depth of twelve inches.
 " " 17, death of John Jay, at Bedford, New York.
 " Sept. 15, slavery abolished in Mexico.
 " Nov. 9, separation of Yucatan from Mexico, and union with the republic of Central America.
 " Dec. 4, revolution commences in Mexico.
 1830. Jan. 20, General Bolivar resigns his military and civil commissions.
 " " 27, city of Guatemala nearly destroyed by earthquakes.
 " April 4, Yucatan declares its independence.
 1831. Jan. 12, remarkable eclipse of the sun.
 " July 4, death of James Monroe.
 " Oct. 1, free-trade convention at Philadelphia.
 " " 26, tariff convention at New York.
 1832. Feb. 6, attack on Qualla Battoo, in Sumatra, by U. S. frigate Potomac.
 " June 8, cholera breaks out at Quebec, in Canada; being its first appearance in America.
 " Aug. 27, capture of Blackhawk.
 " Sept. 26, university of New York organized.
 " Nov., union and state-rights convention of South Carolina.
 " Dec. 28, John C. Calhoun resigns the office of vice-president.
 1833. Mar. 1, new tariff-bill signed by the president.
 " " 4, Andrew Jackson inaugurated president for a second term.
 " " 11, state-rights convention of South Carolina.
 " " 29, Santa Anna elected president of Mexico.
 " May 16, " inaugurated "
 " Oct. 1, public deposits removed from the bank of the United States, by order of General Jackson.
 " Nov. 13, remarkable meteoric showers in the United States.
 1834. Mar. 28, vote of censure by the senate against General Jackson, for removing the deposits.
 1835. April 18, French indemnity-bill passes the chamber of deputies.
 " Dec. 16, great fire in New York.
 1836. April 21, battle of San Jacinto, in Texas.
 " June 14, Arkansas admitted into the Union. 24
 " Dec. 15, burning of the general postoffice and patent office, at Washington.
 1837. Jan. 26, Michigan admitted into the Union. 25
 " Mar. 4, Martin Van Buren inaugurated president of the United States.
 1840. Jan. 19, antarctic continent discovered by the U. S. exploring expedition.
 " June 30, sub-treasury bill becomes a law.
 1841. Mar. 4, William Henry Harrison inaugurated president of the United States.
 " April 4, death of President Harrison.
 " Aug. 9, sub-treasury bill repealed.
 " " 18, bankrupt act becomes a law.
 1843. March 3, bankrupt act repealed.
 " June 17, Bunker Hill monument celebration.
 1845. Mar. 1, Texas annexed to the United States.
 " " 3, Florida admitted into the Union.
 " " 4, James K. Polk inaugurated president.
 " June 18, death of Andrew Jackson.
 " Dec. 24, Texas admitted into the Union.

1846. May 8, battle of Palo Alto, on the Rio Grande.
 " " 9, battle of Resaca de la Palma, do.
 " " 13, proclamation of war existing with Mexico.
 " June 18, United States senate advise the president to confirm the Oregon treaty with Great Britain.
 " July 28, new United States tariff bill passed.
 " Aug. 3, President Polk vetoes the river and harbor bill.
 " " 6, revolution in Mexico, in favor of Santa Anna.
 " " 8, President Polk vetoes the French spoliation bill.
 " " 10, Congress adjourns.
 " " 18, Brigadier-General Kearney of United States army, takes possession of Santa Fe.
 " " 19, Commodore Stockton blockades the Mexican ports on the Pacific.
 " Sept. 21, 22, 23, battles of Monterey, Mexico.
 " " 26, California expedition with Colonel Stevenson's regiment of 780 officers and men, sails from New York.
 " Oct. 25, Tabasco in Mexico, bombarded by Commodore Perry.
 " Nov. 14, Commodore Conner takes Tampico.
 " Dec. 6, General Kearney defeats the Mexicans at San Pasqual.
 " " 25, Colonel Doniphan defeats the Mexicans at Brazito, near El Paso.
 " " 28, Iowa admitted into the Union.
1847. Jan. 8, Mexican Congress resolve to raise fifteen millions of dollars on the property of the clergy for the war with the United States.
 " " 8, 9, battles of San Gabriel and Mesa in California, fought by General Kearney, who defeats the Mexicans.
 " " 14, revolt of the Mexicans in New Mexico against the United States authorities.
 " " 24, battle of Canada, in New Mexico. Mexicans defeated by the Americans under Colonel Price.
 " Feb. 22, 23, battle of Buena Vista. Mexicans 21,000 in number, under General Santa Anna, defeated by 4,500 Americans under General Taylor.
 " " 28, battle of Sacramento. Colonel Doniphan, with 924 Americans, defeats 4,000 Mexicans.
 " Mar. 1, General Kearney declares California a part of the United States.
 " " 20, city and castle of Vera Cruz taken by the army and navy of the United States, under General Scott and Commodore Perry.
 " April 2, Alvarado taken by the Americans under Lieutenant Hunter.
 " " 18, battle of Cerro Gordo. Mexicans under Santa Anna defeated by the Americans under General Scott.
 " " 18, Tuspan in Mexico taken by Commodore Perry.
 " May 1, Smithsonian Institution at Washington, corner-stone laid.
 " Aug. 20, battles of Contreras and Churubusco, in Mexico. Mexicans defeated by Americans under General Smith, part of General Scott's command.
 " " 31, new constitution of Illinois adopted by state convention.
 " Sept. 8, battle of Molina del Rey, near the city of Mexico. The Americans under General Worth (part of Scott's command), defeat the Mexicans under General Santa Anna.
 " " 12, 14, battle of Chapultepec, near Mexico; the Americans, under Generals Scott, Worth, Pillow, and Quitman, defeat the Mexicans under Santa Anna. General Scott and American army enter the city of Mexico, on the 14th.
 " Sept. 13, to Oct. 12, siege of Puebla, held by the Americans against the Mexicans. The latter repulsed by the former, under Colonel Childs.
 " Oct. 9, the city of Huamantla, in Mexico, taken by the Americans, under General Lane.
 " " 20, port of Guayamas, in Mexico, bombarded and captured by the Americans.
 " Dec. 31, the several Mexican states occupied by the American army placed under military contributions.
1848. Jan. 27, a national convention to nominate president and vice-president called by the whig members of Congress. At an adjourned meeting it was resolved that the convention meet at Independence Hall, Philadelphia.

1848. Feb. 18, By a general order, Major-General Scott turns over the command of the U. S. army in Mexico to Major-General Butler.
- " May 22-26, the democratic national convention at Baltimore nominate General Lewis Cass of Michigan, for president, and General William O. Butler of Kentucky, for vice-president.
- " " 25, Major-General Scott received by the municipal authorities of the city of New York. There was a large military and civic procession.
- " " 29, Wisconsin admitted into the Union.
- " " 30, treaty of peace between the United States and Mexico, which had been signed at Guadalupe Hidalgo, Feb. 2, 1848, afterward modified at Washington, and confirmed by the Mexican Congress; ratified by the American commissioners, Sevier and Clifford, and the Mexican minister of foreign relations, Don Luis de la Rosa. It was proclaimed in the United States, July 4, 1848.
- " June 7, 8, the whig national convention meet at Philadelphia, and on the second day, fourth ballot, nominate General Zachary Taylor for president, and, on second ballot, Hon. Millard Fillmore for vice-president.
- " " 22, 23, democratic convention at Utica, N. Y., nominate Martin Van Buren for president and Henry Dodge (who declined June 29) for vice-president.
- " July 4, corner-stone of monument to General Washington, laid at the city of Washington. Oration by Hon. Robert C. Winthrop, speaker of the United States house of representatives.
- " Aug. 13, Oregon territorial bill, with prohibition of slavery, passed by Congress.
- " " 9, 10, free-soil convention at Buffalo, nominate Martin Van Buren, of New York, for president, and Charles Francis Adams, of Massachusetts, for vice-president. Sixteen states were represented by delegates.
- " " 14, Adjournment of 30th Congress, 1st session.
- " " 17, destructive fire at Albany, N. Y.
- " Sept. 9, destructive fire at Brooklyn, N. Y.
- " Nov. 7, presidential election.
- " Dec. 4, meeting of the 30th Congress, second session.
- " " 6, Taylor and Fillmore elected president and vice-president by the electoral colleges.
1849. March 5, inauguration of Zachary Taylor as president, and of Millard Fillmore as vice-president, of the United States.
- " May 15, the cholera breaks out in New York; May 17, great fire at St. Louis.
- " Aug. 11, Gen. Taylor, president of the United States, issues his proclamation against the armed expedition fitting out for Cuba.
- " Aug. 31, convention of delegates, called by Gen. Riley of the United States army, to frame a state constitution for California, meet at Monterey.
- " Aug. 21, citizens of Santa Fe county, New Mexico, meet to organize a territorial government.
- " Sept. 4, California convention organize.
- " Oct. 10, annexation to United States memorial, at Montreal, Canada, signed by over 300 citizens of Canada.
- " Oct. 10, initial point of the boundary line between the United States and Mexico settled, and a monument with inscriptions erected. Lat. $32^{\circ} 31' 59''.58$, and long. $119^{\circ} 35' 0''.15$, west from Greenwich.
- " Oct. 16, convention of delegates from fourteen states in favor of a national railroad from the Mississippi to the Pacific, meet at St. Louis, and issue an address. Senator Douglass, of Illinois, presides.
- " Oct. 16, Mr. Chatfield takes possession of the island of Tigre, in the state of Honduras, in the name of the British queen.
- " Nov. 1, the first territorial legislature of Minnesota closes its sitting of sixty days.
- " " 19, the survey of the boundary line, between Pennsylvania, Delaware, and Maryland, comprising a greater part of Mason and Dixon's line, is completed.
- " Dec. 2, first session of thirty-first Congress commences.
- " " 21, house of representatives organized by the election of Howell Cobb, speaker, on the sixty-third trial.

1850. Jan. 9, the British government announce to Lord Elgin, governor-general of Canada, their determination to maintain the connection of Canada with Great Britain.
- " Jan. 15, the Hungarian exiles call on President Taylor, and the usual interchange of civilities takes place.
- " Jan. 19, the Spanish minister at Washington complains to the secretary of state, of the Cuban juntos at New York, New Orleans, and Washington.
- " Feb. 12, the original manuscript of Washington's Farewell Address is sold at auction, by the heirs of Mr. Claypole, printer, and purchased by James Lenox, Esq., of New York, for \$2,300.
- " Feb. 22, President Taylor attends the laying of the corner-stone of the Virginia monument to Washington, at Richmond.
- " April 20, the people of Santa Fe county, New Mexico, hold a convention, and request the military governor of New Mexico, Col. John Munroe, to call upon the citizens to elect members for a convention to form a state constitution.
- " April 27, Collins' line of steam-packets goes into operation. The steamer Atlantic sails from New York for Liverpool.
- " May 7, a meeting of southern members of both houses of Congress is held at Washington, and reports an address to the people of the southern states.
- " May 23, two vessels, the Advance and Rescue, fitted out by Mr. Henry Grinnell, of New York, to search for Sir John Franklin in the Arctic seas, sail from New York.
- " June 3, a southern convention of delegates meet at Nashville, Tennessee, to consult on the slavery question agitated in the north and in Congress. They afterward issue an address, and adjourn, after a short session.
- " June 14, great fire at San Francisco, California, destroys three hundred buildings.
- " July 1, Governor Bell of Texas calls a special session of the legislature on the boundary question, to meet on the 12th of August.
- " July 9, death of President Taylor; great fire in Philadelphia.
- " " 31, railroad convention at Portland, Maine, in favor of a railroad to Halifax, through the British provinces.
- " Aug. 12, the legislature of Texas meet at Austin, and assume hostile attitude on the boundary question; which, however, is afterward settled by the action of Congress.
- " Sept. 9, California admitted into the Union.
- " " 9, Texas boundary bill passed by Congress.
- " " 9, New Mexico and Utah bills passed; Sept. 18, fugitive slave act passed.
- " " 20, act for the suppression of the slave trade in the District of Columbia, passed.
- " " 30, thirty-first Congress adjourns after a session of 302 days.
- " Oct. 7, Indiana convention, for amending the state constitution, assembles at Indianapolis.
- " Oct. 14, Virginia convention, for amending the state constitution, assembles at Richmond.
- " Oct. 23, a woman's rights convention is held at Worcester, Massachusetts.
- " " 26, great Union meeting at Dayton, Ohio.
- " " 30, great Union meeting at Castle garden, New York.
- " Nov. 1, the mortal remains of the late President Taylor deposited in the family cemetery, near Louisville, Kentucky.
- " Nov. 4, Maryland convention, to amend the state constitution, meets at Annapolis.
- " Nov. 6. New Hampshire convention, to amend the state constitution, meets at Concord.
- " Nov. 11, southern states rights convention meets at Nashville, Tennessee.
- " " 31, great Union meeting at Philadelphia.
- " Dec. 16, great Union meeting at Bath, Maine.
1851. April 25, President Fillmore issues his proclamation against Cuban expeditions.
- " May 3, great fire at St. Francisco, California. Nearly two thousand five hundred buildings destroyed, and several lives lost.

1851. May 5, South Carolina southern rights convention meets at Charleston, and resolves for a dissolution of the Union.
- " June 22, another great fire at St. Francisco, which lays a large portion of the city in ashes.
- " Aug. 8, expedition against Cuba, under General Lopez, sails from New Orleans.
- Aug. 29, convention of delegates at Lewis county, Oregon, memorialize Congress for a division of the territory into two governments.
- " Sept. 10, the steam-frigate *Mississippi*, by order of the United States government, receives Kossuth, ex-governor of Hungary, and suite on board, at the Dardanelles, from a Turkish frigate.
- " Oct. 22, President Fillmore issues his proclamation against a private military expedition against Mexico.
- " Nov. 10, the United States steamer *Mississippi* arrives in New York with the exiled companions of Kossuth, forty-two in number, Kossuth having remained to visit England on his way to the United States.
- " Dec. 6, Kossuth, ex-governor of Hungary, arrives in New York from England, and is honored with a public reception.
- " Dec. 24, library of Congress, at Washington, destroyed by fire.
- " " 31, Kossuth formally received at Washington by President Fillmore.
1852. Jan. 5-7, Kossuth publicly received by Congress.
- June 24, first national agricultural convention, representing twenty-two states, assembles at Washington.
- " July 5, Louisiana convention, for revising the state constitution, assembles at Baton Rouge.
- " July 16, Kossuth leaves New York for Liverpool, on his return to Europe.
- " Aug. 31, thirty-second Congress, first session, adjourns.
- " Dec. 1, Mr. Everett, secretary of state, declines, on the part of the United States government, the tripartite convention respecting Cuba, proposed by England and France.
- " Dec. 20, William R. King, on account of ill health, resigns his office of president, *pro tem*, of the senate.
1853. Feb. 9, votes for president and vice-president opened and counted in Congress. Pierce and King are declared duly elected for four years from March 4.
- " Feb. 25, President Fillmore convenes the senate, by proclamation, for twelve o'clock, on the 4th of March, instead of eleven o'clock, as by a former proclamation; the present senate deeming that their term does not expire until noon of that day.
- " March 4, inauguration of Franklin Pierce as president of the United States.
- " March 24, William R. King is sworn in as vice-president, at Cumbré, near Matanzas, on the island of Cuba, Consul Sharkey administering the oath.
- " April 30, Delaware state convention adopt a new constitution and adjourn, after a session of fifty-five days. The constitution was rejected by the people, October 11, 1853.
- " May 4, Massachusetts state convention, to revise the constitution, meets at Boston. It adjourns August 1, having framed a state constitution, which was rejected by the votes of the people.
- " June 6, a southern convention assembles at Memphis, Tennessee.
- " " 21, Martin Koszta, a Hungarian refugee, who had declared his intentions to become a citizen of the United States, being seized by the officers of an Austrian brig-of-war in the harbor of Smyrna, in Turkey, is rescued by Captain Ingraham, of the United States sloop-of-war *St. Louis*.
- " July 8, the United States expedition to Japan, under Commodore Perry, arrives at Japan. He lands on the 14th, and delivers to the Japanese authorities a letter to the emperor, from the president of the United States, and, a few days after, leaves the islands, intending to return to Japan the following year.
- " July 14, the Crystal Palace, or exhibition of the arts of all nations, is opened at New York, in presence of the President of the United States and other dignitaries, attended by a large audience.
- " Aug. 29, Mr. Hulsemann, the Austrian minister at Washington, addresses a note to the American government, complaining of Captain Ingraham's conduct in the affair of the release of Koszta, at Smyrna; to which the secretary of state, Mr. Marcy, afterward replies, in justification of Captain Ingraham.

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1851. Jan. 3—Respecting a compilation of the opinions of the attorneys-general ..	1955	December 6— <i>Third annual message</i> ..	197
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Improvement of rivers and harbors ..	1998	on the invitation of Congress	2013
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1853. Jan. 17—Spanish claim respect-		Death of Henry Clay	2017
ing the Africans in the "Amistead" ..	2004	Funeral honors paid to his memory	2017
" 18 Removal of Florida Indians	2005	Principal measures adopted by Congress ..	2017
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Britain respecting the fisheries	2006	boundary compromises adopted	2017
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with the United States and Great		Situation of political parties	2018
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Accession of the vice-president to the		Scott and Graham nominated by the	
presidency	2007	whig convention	2020-1
Message of Mr. Fillmore to Congress,		Dissatisfaction of Daniel Webster and	
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Congress respecting the difficulties		Changes in Fillmore's cabinet	2024
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ident of the United States	2053	Powers of Congress on the subject	2071
Pierce's cabinet appointed	2053	Compromise measures of 1850	2074
Inaugural address	2055	Death of Vice-President King	2077
1853. December 5— <i>Pierce's First An-</i>		Dec. 12—Special message respecting the	
<i>nual Message</i>	2060	case of brig General Armstrong	2077
Its principal subjects, viz. :—		" 19—Affair of the Cyane at San Juan	
Relations with foreign nations	2061	de Nicaragua	2077
Affair of Kossuth, a Hungarian	2063	1854. Feb. 10—Transmitting Gadsden	
Expedition to Japan	2063	treaty	2078
Affairs with Mexico	2064	" 10—Exploration of Amazon valley ..	2079
Exploration of the river Amazon	2064	March 1—Negotiations with Peru re-	
Domestic relations of the United States	2065	specting guano	2079
Finances	2066	" 1—Modification of judicial system of	
Army and navy	2067	the United States	2079
Postoffice department	2068	" 15—Affair of the steamer Black War-	
Public lands	2068	rior at Havana	2080
Patent-office and inventors	2070		

SEVENTH CENSUS OF THE UNITED STATES,

JUNE 1, 1850.

Free or Non-Slaveholding States.

States.	Whites.	Free Colored.	Slaves.	Total.
Maine.....	581,863	1,325		583,188
New Hampshire.....	317,489	475		317,964
Vermont.....	313,411	709		314,120
Massachusetts.....	985,704	8,795		994,499
Rhode Island.....	144,000	3,544		147,544
Connecticut.....	363,305	7,486		370,791
Total, New England.....	2,705,772	22,334		2,728,106
New York.....	3,049,457	47,937		3,097,394
New Jersey.....	466,240	23,093	222	489,555
Pennsylvania.....	2,258,463	53,323		2,311,786
Ohio.....	1,956,108	24,300		1,980,408
Indiana.....	977,628	10,788		988,416
Illinois.....	846,104	5,366		851,470
Iowa.....	191,879	335		192,214
Wisconsin.....	304,565	626		305,191
Michigan.....	395,097	2,557		397,654
California.....	163,200	1,800		165,000
Minnesota Ter.....	6,038	39		6,077
Oregon Ter.....	13,087	206		13,293
New Mexico Ter.....	61,530	17		61,547
Utah Ter.....	11,330	24	26	11,380
Total, Of Free States & Territories. }	13,406,498	192,745	248	13,599,491

Slaveholding States

Delaware.....	71,289	17,957	2,269	91,535
Maryland.....	418,590	74,077	90,368	583,035
District of Columbia.....	38,027	9,972	3,687	51,687
Virginia.....	895,304	53,829	472,528	1,421,661
North Carolina.....	553,295	27,196	288,412	868,903
South Carolina.....	274,623	8,900	384,984	668,507
Georgia.....	521,438	2,880	381,681	905,999
Florida.....	47,167	925	39,309	87,401
Alabama.....	426,507	2,272	342,892	771,671
Mississippi.....	295,758	899	309,898	606,555
Louisiana.....	255,416	17,537	239,021	511,974
Texas.....	154,100	331	58,161	212,592
Arkansas.....	162,068	589	46,982	209,639
Tennessee.....	756,893	6,271	239,461	1,002,625
Kentucky.....	761,688	9,736	210,961	982,405
Missouri.....	592,077	2,544	87,422	682,043
Total, Slave States.....	6,224,240	235,916	3,198,076	9,658,232
Total, United States.....	19,630,738	428,661	3,198,324	23,257,723

SEVENTH CENSUS, JUNE 1, 1840.

Free States.....	13,406,498	192,745	248	13,599,491
Slave States.....	6,224,240	235,916	3,198,076	9,658,232
Total.....	19,630,738	428,661	3,198,324	23,257,723

POPULATION OF THE UNITED STATES,

FROM THE CENSUS OF 1850 AND OF 1840.

MAINE.

Area, 32,628 sq. miles, or 20,881,920 acres.		
Counties.	1850.	1840.
Aroostook	12,535	9,413
Barnstable	79,549	68,660
Berkshire	20,027	20,800
Bristol	34,372	28,646
Dukes	62,521	55,804
Essex	74,875	63,512
Franklin	39,763	38,339
Hampden	63,089	45,705
Hampshire	14,735	13,138
Middlesex	35,581	33,912
Nantucket	47,230	41,535
Norfolk	38,810	28,309
Plymouth	60,101	54,023
Suffolk		
Worcester		
Total	583,188	501,796

NEW HAMPSHIRE.

Area, 9,411 sq. miles, or 6,023,040 acres.		
Belknap	17,721	17,988
Carroll	20,156	19,973
Hampshire	30,144	26,429
Hillsborough	11,853	9,849
Merrimack	42,343	42,311
Rockingham	57,477	42,494
Strafford	38,445	36,253
Sullivan	51,086	45,771
Total	29,364	23,166
	19,375	20,340
Total	317,964	284,574

VERMONT.

Area, 10,212 sq. miles, or 6,535,680 acres.		
Addison	26,549	23,583
Bennington	18,589	16,872
Caledonia	23,595	21,891
Chittenden	29,036	22,977
Essex	4,650	4,226
Franklin	28,586	24,531
Grand Isle	4,145	3,883
Lamoille	10,872	10,475
Orange	27,296	27,873
Orleans	15,707	13,634
Rutland	33,059	30,699
Washington	24,654	23,506
Windham	29,062	27,442
Windsor	38,320	40,356
Total	314,120	291,948

MASSACHUSETTS.

Area, 7,500 sq. miles, or 4,800,000 acres.		
Counties.	1850.	1840.
Barnstable	35,276	32,548
Berkshire	49,591	41,745
Bristol	76,192	60,164
Dukes	4,540	3,956
Essex	131,300	94,987
Franklin	30,867	28,812
Hampden	51,281	37,366
Hampshire	35,732	30,897
Middlesex	161,383	106,611
Nantucket	8,452	9,012
Norfolk	78,892	53,140
Plymouth	55,697	47,373
Suffolk	144,507	95,773
Worcester	130,789	95,313
Total	994,499	737,699

RHODE ISLAND.

Area, 1,340 sq. miles, or 857,600 acres.		
Bristol	8,514	6,476
Kent	15,068	13,083
Newport	20,007	16,874
Providence	87,525	58,073
Washington	16,430	14,324
Total	147,544	108,830

CONNECTICUT.

Area, 4,764 sq. miles, or 3,048,960 acres.		
Fairfield	59,775	49,917
Hartford	69,966	55,629
Litchfield	45,253	40,448
Middlesex	30,680	24,879
New Haven	62,126	48,619
New London	51,821	44,463
Tolland	20,091	17,980
Windham	31,079	28,080
Total	370,791	310,015

NEW YORK.

Area, 46,085 sq. miles, or 29,494,400 acres.		
Albany	93,279	68,593
Allegany	37,808	40,975
Broome	30,660	22,338
Cattaraugus	38,950	28,872
Cayuga	55,458	50,338
Chautauque	50,493	47,975
Chemung	28,821	20,732

Counties.	1850.	1840.
Chenango	40,311	40,785
Clinton	40,047	28,157
Columbia	43,073	43,252
Cortland	25,140	24,607
Delaware	39,834	35,396
Dutchess	58,992	52,398
Erie	100,993	62,465
Essex	31,148	23,634
Franklin	25,102	16,518
Fulton	20,171	18,049
Genesee	28,488	59,587
Greene	33,126	30,446
Hamilton	2,188	1,907
Herkimer	38,244	37,477
Jefferson	68,153	60,984
Kings	138,882	47,613
Lewis	24,564	17,830
Livingston	40,875	35,140
Madison	43,072	40,008
Monroe	87,650	64,902
Montgomery	31,992	35,818
New York	515,547	312,710
Niagara	42,276	31,132
Oneida	99,566	85,310
Onondaga	85,890	67,911
Ontario	43,929	43,501
Orange	57,145	50,739
Orleans	28,501	25,127
Oswego	62,198	43,619
Otsego	48,638	49,628
Putnam	14,138	12,825
Queens	36,833	30,324
Rensselaer	73,363	60,295
Richmond	16,061	10,965
Rockland	16,962	11,975
St. Lawrence	68,617	56,706
Saratoga	45,646	40,553
Schenectady	20,054	17,387
Schoharie	33,548	32,358
Seneca	25,441	24,874
Suffolk	36,922	32,469
Steuben	63,771	46,138
Sullivan	25,088	15,629
Tioga	24,880	20,527
Tompkins	38,746	37,948
Ulster	59,384	45,822
Warren	17,199	13,422
Washington	44,750	41,080
Wayne	44,953	42,057
Westchester	58,263	48,686
Wyoming	31,981	new co.
Yates	20,590	20,444
Total	3,097,394	2,428,957

NEW JERSEY.

Area, 8,320 sq. miles, or 5,324,800 acres.

Atlantic	8,961	8,726
Bergen	14,725	13,223
Burlington	43,203	32,831
Camden	25,422	new co.
Cape May	6,433	5,324
Cumberland	17,189	14,374
Essex	73,950	44,621

Counties.	1850.	1840.
Gloucester	14,655	25,455
Hudson	21,821	9,495
Hunterdon	28,989	24,755
Mercer	27,992	21,575
Middlesex	28,635	21,895
Monmouth	30,313	32,909
Morris	30,158	25,844
Ocean	10,032	
Passaic	22,575	16,734
Salem	19,467	16,024
Somerset	19,688	17,453
Sussex	22,989	21,770
Warren	22,358	20,366
Total	489,555	373,306

PENNSYLVANIA.

Area, 44,000 sq. miles, or 28,160,000 acres.		
Adams	25,981	23,044
Alleghany	138,290	81,235
Armstrong	29,560	28,365
Beaver	26,689	29,368
Bedford	23,052	29,335
Berks	77,129	64,569
Blair	21,777	new co.
Bradford	42,831	32,769
Bucks	56,091	48,167
Butler	30,346	22,379
Cambria	17,773	11,256
Carbon	15,686	new co.
Centre	23,355	20,492
Chester	66,438	57,515
Clarion	23,565	new co.
Clearfield	12,586	7,834
Clinton	11,207	8,323
Columbia	17,710	24,267
Crawford	37,849	31,724
Cumberland	34,327	30,953
Dauphin	35,754	30,118
Delaware	24,679	19,791
Elk	3,531	new co.
Erie	38,742	31,344
Fayette	39,112	33,574
Forest	561	new co.
Franklin	39,904	37,793
Fulton	7,567	new co.
Greene	22,136	19,147
Huntingdon	24,786	35,484
Indiana	27,170	20,782
Jefferson	12,957	7,253
Juniata	13,029	11,060
Lancaster	98,944	84,203
Lawrence	21,079	new co.
Lebanon	26,071	21,872
Lehigh	32,479	25,785
Luzerne	56,072	44,006
Lycoming	26,257	22,649
M'Kean	5,254	2,975
Mercer	33,172	32,873
Mifflin	14,980	13,092
Monroe	13,270	9,879
Montgomery	58,291	47,241
Montour	13,239	new co.
Northampton	40,235	40,996

Counties.	1850.	1840.
Northumberland	23,272	20,027
Perry	20,088	17,096
Philadelphia	408,762	258,037
Pike	5,881	3,832
Potter	6,048	3,371
Schuykill	60,713	29,053
Somerset	24,416	19,650
Susquehanna	28,688	21,195
Sullivan	3,694	new co.
Tioga	23,987	15,498
Union	26,083	22,787
Venango	18,310	17,900
Warren	13,671	9,278
Washington	44,939	41,279
Wayne	21,890	11,848
Wyoming	10,655	new co.
Westmoreland	51,726	42,699
York	57,450	47,010
Total	2,311,786	1,724,031

DELAWARE.

Area, 2,120 sq. miles, or 1,356,300 acres.

Kent	22,816	19,872
New Castle	42,784	33,120
Sussex	25,935	25,093
Total	91,535	78,085

MARYLAND.

Area, 13,959 sq. miles, or 8,933,760 acres.

Alleghany	22,769	15,690
Anne Arundel	32,393	29,532
Baltimore City	169,054	102,313
Baltimore County	41,592	32,066
Calvert	9,646	9,229
Caroline	9,692	7,806
Carroll	20,616	new co.
Cecil	18,939	17,232
Charles	16,162	16,023
Dorchester	18,877	18,843
Frederick	40,987	36,405
Harford	19,356	17,120
Kent	11,386	10,842
Montgomery	15,860	14,669
Prince George's	21,550	19,539
Queen Anne's	14,484	12,633
Somerset	22,456	19,508
St. Mary's	13,698	13,224
Talbot	13,811	12,090
Washington	30,848	28,850
Worcester	18,859	18,377
Total	583,035	469,232

VIRGINIA.

EASTERN VIRGINIA.

Area, 64,000 sq. miles, or 40,960,000 acres.

Accomac	17,890	17,096
Albemarle	25,800	22,924
Appomatox	9,193	new co.
Amherst	12,699	12,576

Counties.	1850.	1840.
Amelia	9,770	10,320
Alexandria*	10,008	new co.
Brunswick	13,894	14,346
Bedford	24,080	20,203
Buckingham	13,837	18,786
Culpeper	12,282	11,393
Cumberland	9,751	10,399
Charlotte	13,955	11,595
Caroline	18,456	17,813
Chesterfield	17,489	17,148
Charles City	5,200	4,774
Campbell	23,245	21,030
Dinwiddie	25,118	22,558
Essex	10,206	11,309
Elizabeth City	4,586	3,706
Fauquier	20,858	21,877
Franklin	17,430	15,832
Fairfax	10,682	9,370
Fluvanna	9,487	8,812
Greene	4,400	4,232
Grenville	5,639	6,366
Goochland	10,352	9,760
Gloucester	10,527	10,715
Henrico	43,572	33,076
Hanover	15,153	14,968
Halifax	25,962	25,936
Henry	8,872	7,335
James City	4,020	3,679
Isle of Wight	9,353	9,972
King and Queen	10,319	10,862
King George	5,971	5,927
King William	8,779	9,258
Louisa	16,691	15,433
Lunenburg	11,692	11,055
Lancaster	4,708	4,628
Loudoun	22,079	20,431
Madison	9,331	8,107
Mecklenburg	20,630	20,724
Mathews	6,714	7,442
Middlesex	4,394	4,392
Northumberland	7,346	7,924
Nansemond	12,283	10,795
Northampton	7,498	7,715
New Kent	6,064	6,230
Nottaway	8,437	9,719
Nelson	12,758	12,287
Norfolk	33,036	27,569
Orange	10,007	9,125
Patrick	9,609	8,032
Pittsylvania	28,796	26,398
Powhattan	8,178	7,924
Prince Edward	11,857	14,069
Prince George	7,596	7,175
Prince William	8,129	8,144
Princess Ann	7,669	7,285
Rappahannock	9,752	9,257
Richmond	6,448	5,969
Spottsylvania	14,911	15,161
Southampton	13,521	14,525
Stafford	8,044	8,454
Surry	5,679	6,480
Sussex	9,820	11,229
Warwick	1,546	1,456

* This county formerly belonged to the Dist. of Columbia.

Counties.	1850.	1840.
Westmoreland	8,080	8,019
York	4,460	4,720
Total East Virginia ..	856,698	806,942

WESTERN VIRGINIA.

Alleghany	3,515	2,749
Augusta	24,610	19,628
Barbour	9,005	new co.
Bath	3,426	4,300
Berkeley	11,771	10,972
Brooke	5,054	7,948
Braxton	4,212	2,575
Boone	3,237	new co.
Botetourt	14,908	11,679
Cabell	6,299	8,163
Carroll	5,909	new co.
Clarke	7,352	7,353
Doddridge	2,750	new co.
Fayette	3,955	3,924
Floyd	6,458	4,453
Frederick	15,975	14,242
Giles	6,570	5,307
Gilmer	3,475	new co.
Grayson	6,677	9,087
Greenbrier	10,022	8,695
Hampshire	14,036	12,295
Hancock	4,050	new co.
Hardy	9,543	7,622
Harrison	11,728	17,669
Highland	4,227	new co.
Jackson	6,544	4,890
Jefferson	15,357	14,082
Kanawha	15,353	13,567
Lee	10,267	8,441
Lewis	10,031	8,151
Logan	3,620	4,309
Marion	10,552	new co.
Marshall	10,138	6,937
Mason	7,539	6,777
Mercer	4,222	2,233
Monongalia	12,387	17,368
Monroe	10,304	8,422
Montgomery	8,359	7,405
Morgan	3,557	4,253
Nicholas	3,963	2,515
Ohio	18,006	13,357
Page	7,600	6,194
Pendleton	5,795	6,940
Pocahontas	3,598	2,922
Preston	11,708	6,866
Pulaski	5,118	3,739
Putnam	5,335	new co.
Raleigh	1,765	new co.
Randolph	5,245	6,208
Ritchie	3,902	new co.
Roanoke	8,477	5,499
Rockbridge	16,045	14,284
Rockingham	20,294	17,344
Russell	11,919	7,878
Scott	9,829	7,303
Shenandoah	13,768	11,618
Smyth	8,162	6,522
Taylor	5,367	new co.

Counties.	1850.	1840.
Tazewell	9,942	6,227
Tyler	5,498	6,855
Warren	6,607	5,627
Washington	14,612	13,007
Wayne	4,760	new co.
Wetzel	4,284	new co.
Wirt	3,353	new co.
Wood	9,450	7,922
Wyoming	1,645	new co.
Wythe	12,024	9,375

Total W. Virginia ... 564,963 432,855

Total Population of Virginia: In 1850, 1,421,661; in 1840, 1,239,797.

DISTRICT OF COLUMBIA.

Area, 63 square miles, or 40,320 acres.

Washington City	40,001	23,364
Total Population of Dist.	51,687	33,745

NORTH CAROLINA.

Area, 43,800 sq. miles, or 28,032,000 acres.

Alamance	11,444	new co.
Alexander	5,220	new co.
Anson	13,489	15,077
Ashe	8,777	7,467
Beaufort	13,816	12,225
Bertie	12,851	12,175
Bladen	9,767	8,022
Brunswick	7,272	5,265
Buncombe	13,425	10,084
Burke	7,772	15,799
Cabarras	9,747	9,259
Caldwell	6,317	new co.
Camden	6,049	5,663
Cartaret	6,803	6,591
Caswell	15,269	14,693
Catawba	8,862	new co.
Chatham	18,449	16,242
Chowan	6,721	6,690
Cleveland	10,396	new co.
Columbus	5,909	3,941
Craven	14,709	13,438
Cumberland	20,610	15,284
Currituck	7,236	6,703
Cherokee	6,838	3,427
Duplin	13,514	11,182
Davie	7,866	7,574
Davidson	15,320	14,606
Edgecomb	17,189	15,708
Franklin	11,713	10,980
Forsythe	11,168	new co.
Gates	8,426	8,161
Granville	21,249	18,817
Greene	6,619	6,595
Guilford	19,754	19,175
Gaston	8,073	new co.
Halifax	16,589	16,865
Haywood	7,074	4,975
Henderson	6,853	5,129
Hertford	8,142	7,484
Hyde	7,636	6,458
Iredell	14,719	15,685

Counties.	1850.	1840.
Johnston	13,726	10,599
Jones	5,038	4,945
Lenoir	7,828	7,605
Lincoln	7,746	25,160
Martin	8,307	7,637
M'Dowell	6,246	new co.
Mecklenberg	13,914	18,273
Montgomery	6,872	10,780
Moore	9,342	7,988
Macon	6,389	4,869
Nash	10,657	9,047
New Hanover	17,668	13,312
Northampton	13,335	13,369
Onslow	8,283	7,527
Orange	17,055	24,356
Pasquotank	8,950	8,514
Perquimans	7,331	7,346
Person	10,781	9,790
Pitt	13,397	11,806
Randolph	15,832	12,875
Richmond	9,818	8,909
Rowan	13,870	12,109
Robeson	12,826	10,370
Rockingham	14,495	13,442
Rutherford	13,550	19,202
Sampson	14,585	12,157
Stokes	9,206	1,6265
Surry	18,443	15,079
Stanly	6,922	new co.
Tyrrell	5,133	4,657
Union	10,051	new co.
Wake	24,887	21,118
Warren	13,912	12,929
Washington	5,666	4,525
Wilkes	12,099	12,577
Watauga	3,400	new co.
Wayne	13,486	10,891
Yancy	8,205	5,962
Total	868,903	753,419

SOUTH CAROLINA.

Area, 28,200 sq. miles, or 18,048,000 acres.

Abbeville	32,318	29,351
Anderson	21,475	18,493
Barnwell	26,608	21,471
Beaufort	38,805	35,794
Charleston	72,805	82,661
Chester	18,038	17,747
Chesterfield	10,790	8,574
Colleton	39,505	25,548
Darlington	16,830	14,822
Edgefield	39,262	32,852
Fairfield	21,404	20,166
Georgetown	20,647	18,274
Greenville	20,156	17,839
Horrey	7,646	5,755
Kershaw	14,473	12,281
Lancaster	10,988	9,907
Laurens	23,407	21,584
Lexington	12,930	12,111
Marion	17,407	13,932
Marlboro'	10,789	8,408
Newbury	20,143	13,350

Counties.	1850.	1840.
Orangeburg	23,582	18,519
Pickens	16,904	14,356
Richland	20,243	16,397
Spartanburg	26,400	23,669
Sumter	33,220	27,892
Union	19,852	18,936
Williamsburg	12,447	10,327
York	19,433	18,383
Total	668,507	594,398

GEORGIA.

Area, 62,000 sq. miles, or 39,680,000 acres.

Appling	2,949	2,052
Baker	8,120	4,226
Baldwin	8,148	7,250
Bibb	12,699	9,802
Bryan	3,424	3,182
Bullock	4,300	3,102
Burke	16,100	13,176
Butts	6,488	5,308
Camden	6,319	6,075
Campbell	7,232	5,370
Carroll	9,357	5,252
Cass	13,300	9,390
Chatham	23,901	18,801
Chattooga	6,815	3,438
Cherokee	12,800	5,895
Clarke	11,119	10,522
Cobb	13,843	7,539
Columbia	11,961	11,356
Coweta	13,635	10,364
Crawford	8,984	7,981
Dade	2,680	1,364
Decatur	8,262	5,872
De Kalb	14,328	10,467
Dooley	8,361	4,427
Early	7,246	5,444
Effingham	3,864	3,075
Elbert	12,959	11,125
Emanuel	4,577	3,129
Fayette	8,709	6,191
Floyd	8,205	4,441
Forsyth	8,850	5,619
Franklin	11,513	9,886
Gilmer	8,440	2,536
Glynn	4,933	5,302
Gordon	5,984	new co.
Greene	13,068	11,690
Gwinnett	11,257	10,804
Habersham	8,895	7,961
Hall	8,713	7,875
Hancock	11,578	9,659
Harris	14,721	13,933
Heard	6,923	5,329
Henry	14,726	11,756
Houston	16,450	9,711
Irwin	3,334	2,038
Jackson	9,768	8,522
Jasper	11,486	11,111
Jones	10,224	10,065
Jefferson	9,131	7,254
Laurens	6,442	5,585
Lee	6,659	4,520

Counties.	1850.	1840.	Counties.	1850.	1840.
Liberty	7,926	7,421	Madison	5,490	2,644
Lincoln	5,998	5,895	Marion	3,338	new co.
Lowndes	8,351	5,574	Monroe	2,643	62 nd
Lumpkin	8,954	5,671	Musquito	dropped	73
Macon	7,052	5,045	Nassau	2,164	1,392
Madison	5,603	4,510	Orange	466	new co.
Marion	10,280	4,812	Putnam	687	new co.
M'Intosh	6,028	5,360	St. John	2,525	2,694
Meriwether	16,476	14,132	St. Lucie	139	new co.
Monroe	16,985	16,275	Santa Rosa	2,883	new co.
Montgomery	2,154	1,616	Wakulla	1,955	new co.
Morgan	10,744	9,121	Walton	1,379	1,461
Murray	14,433	4,695	Washington	1,950	859
Muscogee	18,578	11,699			
Newton	13,296	11,628	Total	87,401	54,477
Oglethorpe	12,259	10,868			
Paulding	7,039	2,556			
Pike	14,305	9,176			
Pulaski	6,627	5,389			
Putnam	10,794	10,260			
Rabun	2,448	1,912			
Randolph	12,868	8,276			
Richmond	16,246	11,932			
Scriven	6,847	4,794			
Stewart	16,027	12,933			
Sumter	10,322	5,759			
Talbot	16,534	15,627			
Taliaferro	5,146	5,190			
Tatnall	3,327	2,724			
Telfair	3,026	2,763			
Thomas	10,103	6,766			
Troup	16,879	15,733			
Twiggs	8,179	8,422			
Union	7,234	3,152			
Upson	9,424	9,408			
Walker	13,109	6,572			
Walton	10,821	10,209			
Ware	3,888	2,323			
Warren	12,425	9,789			
Washington	11,766	10,565			
Wayne	1,499	1,258			
Wilkinson	8,212	6,842			
Wilkes	12,107	10,148			
Total	905,999	691,392			

ALABAMA.

Area, 50,722 sq. miles, or 32,462,020 acres.

Autauga	15,023	14,342
Baldwin	4,414	2,951
Barbour	23,632	12,024
Benton	17,163	14,260
Bibb	9,969	8,284
Blount	7,367	5,570
Butler	10,836	8,685
Chambers	23,960	17,333
Cherokee	13,884	8,773
Choctaw	8,389	new co.
Clarke	9,736	8,640
Coffee	5,940	new co.
Conecuh	9,322	8,197
Coosa	14,543	6,995
Covington	3,645	2,435
Dale	6,346	7,397
Dallas	29,727	25,199
De Kalb	8,245	5,929
Fayette	9,681	6,942
Franklin	19,610	14,270
Greene	31,441	24,024
Hancock	1,542	new co.
Henry	9,019	5,787
Jackson	14,088	15,715
Jefferson	8,989	7,131
Lauderdale	17,172	14,485
Lawrence	15,258	13,313
Limestone	16,483	14,374
Lowndes	21,915	19,539
Macon	26,898	11,247
Madison	26,427	25,706
Marengo	27,831	17,264
Marion	7,833	5,847
Marshall	8,846	7,553
Mobile	27,600	18,741
Monroe	12,013	10,680
Montgomery	29,795	24,574
Morgan	10,125	9,841
Perry	22,285	19,086
Pickens	21,512	17,118
Pike	15,920	10,108
Randolph	11,581	4,973
Russell	19,548	13,513
Shelby	9,536	6,112
St. Clair	6,829	5,638
Sumter	22,250	29,937

FLORIDA.

Area, 53,786 sq. miles, or 34,423,040 acres.

Alachua	2,524	2,282
Benton	926	new co.
Calhoun	1,377	1,142
Columbia	4,808	2,102
Dade	159	446
Duval	4,539	4,156
Escambia	4,351	3,993
Franklin	1,561	1,030
Gadsden	8,783	5,992
Hamilton	2,469	1,464
Hillsborough	2,377	452
Holmes	1,644	new co.
Jackson	6,639	4,681
Jefferson	7,718	5,713
Leon	11,442	10,713
Levy	465	new co.

Counties.	1850.	1840.
Talladega	18,624	12,587
Tallapoosa	15,584	6,444
Tuscaloosa	18,056	16,583
Walker	5,124	4,032
Washington	2,713	5,300
Wilcox	17,352	15,278
Total	771,671	590,756

MISSISSIPPI.

Area, 47,151 sq. miles, or 30,176,640 acres.

Adams	18,622	19,434
Amite	9,694	9,511
Attala	10,999	4,303
Bolivar	2,577	1,356
Carroll	18,491	10,481
Chickasaw	16,368	2,955
Choctaw	11,402	6,010
Claiborne	14,941	13,078
Clarke	5,477	2,986
Coahoma	2,780	1,290
Copiah	11,794	8,945
Covington	3,338	2,717
De Soto	19,042	7,002
Franklin	5,904	4,775
Green	2,018	1,636
Hancock	3,672	3,367
Harrison	4,875	new co.
Hinds	25,340	19,098
Holmes	13,928	9,452
Issaquena	4,478	new co.
Itawamba	13,528	5,375
Jackson	3,196	1,965
Jasper	6,184	3,958
Jefferson	13,193	11,650
Jones	2,164	1,258
Kemper	12,517	7,663
Lafayette	14,069	6,531
Lauderdale	8,717	5,358
Lawrence	6,478	5,920
Leake	5,533	2,162
Lowndes	19,544	14,513
Madison	18,173	15,530
Marion	4,410	3,630
Marshall	29,689	17,526
Monroe	21,172	9,250
Neshoba	4,728	2,437
Newton	4,465	2,527
Noxubee	16,299	9,975
Oktibbeha	9,171	4,276
Panola	11,444	4,657
Perry	2,438	1,887
Pike	7,360	6,151
Pontotoc	17,112	4,491
Rankin	7,227	4,631
Scott	3,961	1,653
Simpson	4,734	3,380
Smith	4,071	1,961
Sunflower	1,102	new co.
Tallahatchee	4,643	2,985
Tippah	20,741	9,444
Tishomingo	15,490	6,681

Counties.	1850.	1840.
Tunica	1,314	821
Warren	18,121	15,820
Washington	8,389	7,287
Wayne	2,892	2,120
Wilkinson	16,914	14,193
Winston	7,956	4,650
Yallahusha	17,258	12,248
Yazoo	14,418	10,480
Total	606,555	375,651

LOUISIANA.

Area, 46,431 sq. miles, or 29,715,840 acres.

Ascension	10,752	6,951
Assumption	10,538	7,141
Avoyelles	9,326	6,616
Baton Rouge E	11,977	8,138
Baton Rouge W	6,270	4,688
Bienville	5,539	new co.
Boesier	6,962	new co.
Caddo	8,884	5,282
Calcasieu	3,914	2,057
Caldwell	2,815	2,017
Carroll	8,789	4,237
Catahoula	7,132	4,955
Claiborne	7,471	6,185
Concordia	7,758	9,414
De Soto	8,019	new co.
Feliciana E	13,598	11,893
Feliciana W	13,245	10,910
Franklin	3,251	new co.
Iberville	12,279	8,495
Jackson	5,566	new co.
Jefferson	25,091	10,470
Lafayette	6,720	7,841
La Fourche	9,533	7,303
Livingston	3,385	2,315
Madison	8,773	5,142
Morehouse	3,913	new co.
Nachitoches	14,201	14,350
Orleans	119,461	102,193
Ouchita	5,008	4,640
Plaquemine	7,390	5,060
Point Coupee	11,339	7,898
Rapides	16,561	14,132
Sabine	4,515	new co.
St. Bernarde	3,802	3,237
St. Charles	5,120	4,700
St. Helena	4,561	3,525
St. James	11,098	8,548
St. John Baptist	7,317	5,776
St. Landry	22,253	15,233
St. Martin's	11,765	8,674
St. Mary's	13,700	8,950
St. Tammany	6,364	4,598
Tensas	9,040	new co.
Terre Bonne	7,724	4,410
Union	8,203	1,838
Vermillion	3,409	new co.
Washington	3,408	2,649
Total	517,739	352,411

TENNESSEE.

Area, 45,322 sq. miles, or 28,906,080 acres.

EASTERN TENNESSEE.

Counties.	1850.	1840.
Anderson	6,938	5,658
Bledsoe	5,959	5,676
Blount	12,382	11,745
Bradley	12,259	7,385
Campbell	6,068	6,149
Carter	6,296	5,372
Claiborne	9,369	9,474
Cocke	8,300	6,992
Granger	12,370	10,572
Greene	17,824	16,076
Hamilton	10,075	8,175
Hancock	5,660	new co.
Hawkins	13,370	15,035
Jefferson	13,204	12,076
Johnson	3,705	2,658
Knox	18,755	15,485
Marion	6,314	6,070
Meigs	4,879	4,794
Monroe	10,874	12,056
Morgan	3,430	2,660
M ^c Minn	13,906	12,719
Polk	6,338	3,570
Rhea	4,415	3,985
Roane	12,185	10,948
Scott	1,905	new co.
Sevier	6,920	6,442
Sullivan	11,742	10,736
Washington	13,861	11,751

Total260,303 224,259

MIDDLE TENNESSEE.

Bedford	21,512	20,546
Cannon	8,982	7,193
Coffee	8,351	8,184
Davidson	38,881	30,509
Dickson	8,404	7,074
De Kalb	8,016	5,868
Fentress	4,454	3,550
Franklin	13,768	12,033
Giles	25,949	21,494
Grundy	2,773	new co.
Hickman	9,397	8,618
Humphreys	6,422	5,195
Jackson	15,673	12,872
Lawrence	9,280	7,121
Lewis	4,438	new co.
Lincoln	23,492	21,493
Macon	6,948	new co.
Marshall	15,616	14,555
Maury	29,520	28,186
Montgomery	21,045	16,927
Overton	11,211	9,279
Robertson	16,145	13,801
Rutherford	29,122	24,282
Smith	18,412	21,179
Steward	9,719	8,587
Sumner	22,717	22,445
Van Buren	2,674	new co.
Warren	10,179	10,803

Counties.	1850.	1840.
Wayne	8,170	7,771
White	11,444	11,745
Williamson	27,201	27,201
Wilson	27,444	27,444
Total	477,359	411,745

WESTERN TENNESSEE.

Benton	6,315	4,771
Carroll	15,967	12,185
Decatur	6,003	new co.
Dyer	6,361	4,444
Fayette	26,719	21,179
Gibson	19,548	13,801
Haywood	17,259	13,801
Henderson	13,164	11,745
Hardeman	17,456	14,076
Hardin	10,328	7,385
Henry	18,233	14,076
Lauderdale	5,169	3,570
Madison	21,470	16,076
M ^c Nairy	21,864	20,509
Obion	7,633	4,444
Perry	5,822	7,121
Shelby	31,157	14,076
Tipton	8,887	6,992
Weakley	14,608	8,175
Total	264,963	193,444

KENTUCKY.

Area, 40,500 sq. miles, or 25,926,000 acres.

Adair	9,898	8,444
Allen	8,742	7,222
Anderson	6,260	5,444
Ballard	5,496	new co.
Barren	20,240	17,444
Bath	12,115	9,777
Boone	11,185	10,111
Bourbon	14,466	14,444
Boyle	9,116	new co.
Breathitt	3,785	2,111
Brecken	8,903	7,222
Breckenridge	10,593	8,444
Bullitt	6,774	6,222
Butler	5,755	3,999
Caldwell	13,048	10,333
Callaway	8,096	9,777
Campbell	13,127	5,333
Carroll	5,526	3,333
Carter	6,241	2,999
Casey	6,556	4,444
Christian	19,580	15,555
Clark	12,683	10,555
Clay	5,421	4,666
Clinton	4,889	3,555
Crittenden	6,351	new co.
Cumberland	7,005	6,000
Davies	12,353	8,333
Edmonston	4,088	2,999
Estill	5,985	5,555
Fayette	22,735	22,111
Fleming	13,914	13,333

Counties.	1850.	1840.	Counties.	1850.	1840.
Floyd	5,714	6,302	Washington	12,194	10,596
Franklin	12,462	9,420	Wayne	8,692	7,399
Fulton	4,446	new co.	Whitley	7,447	4,673
Gallatin	5,137	4,003	Woodford	12,423	11,740
Garrard	10,237	10,480			
Grant	6,531	4,192	Total	982,405	779,828
Graves	11,397	7,465			
Grayson	6,837	4,461			
Green	9,060	14,212			
Greenup	9,654	6,297			
Hancock	3,853	2,581			
Hardin	14,525	16,357			
Harlan	4,268	3,015			
Harrison	12,964	12,472			
Hart	9,093	7,031			
Henderson	12,171	9,548			
Henry	11,442	10,015			
Hickman	4,791	8,968			
Hopkins	12,441	9,171			
Jefferson	59,831	36,346			
Jessamine	10,249	9,396			
Johnson	3,873	new co.			
Kenton	17,038	7,816			
Knox	7,050	5,722			
Laurel	4,145	3,079			
La Rue	5,859	new co.			
Lawrence	6,281	4,730			
Letcher	2,512	new co.			
Lewis	7,202	6,306			
Lincoln	10,093	10,187			
Livingston	6,578	9,025			
Logan	16,581	13,615			
Madison	15,727	16,355			
Marion	11,765	11,032			
Mason	18,344	15,719			
Marshall	5,269	new co.			
M'Cracken	6,067	4,745			
Meade	7,393	5,780			
Mercer	14,067	18,720			
Monroe	7,756	6,526			
Montgomery	9,903	9,332			
Morgan	7,620	4,603			
Muhlenburg	10,809	6,964			
Nelson	14,789	13,637			
Nicholas	10,361	8,745			
Ohio	9,749	6,592			
Oldham	7,629	7,380			
Owen	10,444	8,232			
Owsley	3,774	new co.			
Pendleton	6,774	4,455			
Perry	2,192	3,089			
Pike	5,365	3,567			
Pulaski	14,195	9,620			
Rockcastle	4,697	3,409			
Russell	5,349	4,238			
Scott	14,946	13,668			
Shelby	17,095	17,768			
Simpson	7,733	6,537			
Spencer	6,843	6,581			
Taylor	7,250	new co.			
Todd	12,268	9,991			
Trigg	10,129	7,716			
Trimble	5,963	4,480			
Union	9,012	6,673			
Warren	15,123	15,446			

OHIO.

Area, 39,964 sq. miles, or 25,576,960 acres.

Adams	18,883	13,183
Allen	12,109	9,079
Ashland	23,792	new co.
Ashtabula	28,766	23,724
Athens	18,215	19,109
Auglaize	11,338	new co.
Belmont	34,600	30,901
Brown	27,332	22,715
Butler	30,789	28,173
Carroll	17,685	18,018
Champaign	19,762	16,721
Clark	22,178	16,882
Clermont	30,455	23,106
Clinton	18,838	15,719
Columbiana	83,621	40,378
Coshocton	25,674	21,590
Crawford	18,177	13,152
Cuyahoga	48,099	26,506
Darke	20,274	13,282
Defiance	6,966	new co.
Delaware	21,817	22,060
Erie	18,568	12,599
Fairfield	30,264	31,924
Fayette	12,726	10,984
Franklin	42,910	25,949
Fulton	7,781	new co.
Gallia	17,063	13,444
Geauga	17,827	16,297
Greene	21,946	17,528
Guernsey	30,438	27,748
Hamilton	156,843	80,145
Hancock	16,751	9,986
Hardin	8,251	4,598
Harrison	20,157	20,099
Henry	3,435	2,503
Highland	25,781	22,269
Hocking	14,119	9,741
Holmes	20,452	18,088
Huron	26,203	23,933
Jackson	12,721	9,744
Jefferson	29,132	25,030
Knox	28,873	29,579
Lake	14,654	9,738
Lawrence	15,246	13,719
Licking	38,846	35,096
Logan	19,162	14,015
Lorain	26,086	18,467
Lucas	12,363	9,382
Madison	10,015	9,025
Mahoning	23,735	new co.
Marion	12,618	14,765
Medina	24,441	18,352
Meigs	17,971	11,452
Mercer	7,712	8,277
Miami	24,996	19,688

Counties.	1850.	1840.
Monroe	28,351	18,521
Montgomery	38,219	31,938
Morgan	28,585	20,852
Morrow	20,280	new co.
Muskingum	45,049	38,749
Ottawa	3,308	2,248
Paulding	1,766	1,034
Perry	20,775	19,344
Pickaway	21,008	19,725
Pike	10,953	7,626
Portage	24,419	22,965
Preble	21,736	19,482
Putnam	7,221	5,189
Richland	30,879	44,532
Ross	32,074	27,460
Sandusky	14,305	10,182
Scioto	18,428	11,192
Seneca	27,105	18,128
Shelby	13,958	12,154
Stark	39,878	34,603
Summit	27,485	22,560
Trumbull	30,490	38,107
Tuscarawas	31,761	25,631
Union	12,204	8,422
Van Wert	4,813	1,577
Vinton	9,353	new co.
Warren	25,561	23,141
Washington	29,540	20,823
Wayne	32,981	35,803
Williams	8,018	4,465
Wood	9,157	5,357
Wyandott	11,292	new co.
Total	1,980,408	1,519,467

MICHIGAN.

Area, 56,243 sq. miles, or 35,995,520 acres.

Allegan	5,125	1,783
Barry	5,072	1,078
Berrien	11,417	5,011
Branch	12,472	5,715
Calhoun	19,162	10,599
Cass	10,907	5,710
Chippewa	898	534
Clinton	5,102	1,614
Eaton	7,058	2,379
Genesee	12,031	4,268
Hillsdale	16,159	7,240
Houghton	708	new co.
Huron	210	new co.
Ingham	8,631	2,498
Ionia	7,597	1,927
Jackson	19,431	13,130
Kalamazoo	13,179	7,380
Kent	12,016	2,587
Lapeer	7,029	4,265
Lenawee	26,372	17,889
Livingston	13,485	7,430
Macomb	15,530	923
Marquette	136	new co.
Michilimackinac	3,598	9,716
Mason	93	new co.
Midland	65	new co.
Montcalm	891	new co.

Counties.	1850.	1840.
Monroe	14,698	9,922
Newaygo	510	new co.
Oakland	31,270	23,646
Oceana	300	203
Ontonagon	389	new co.
Ottawa	5,587	496
Saginaw	2,609	2,103
Sanilac	2,112	new co.
St. Clair	10,420	4,606
St. Joseph	12,725	7,068
Schoolcraft	16	new co.
Shiawassee	5,230	2,103
Tuscola	291	new co.
Van Buren	5,800	1,910
Washtenaw	28,567	23,571
Wayne	42,756	24,173
Total	397,654	212,276

INDIANA.

Area, 33,809 sq. miles, or 21,637,760 acres.

Adams	5,797	2,264
Allen	16,919	5,942
Bartholomew	12,428	10,046
Benton	1,144	new co.
Blackford	2,860	1,226
Boone	11,631	8,121
Browne	4,846	2,364
Carroll	11,015	7,819
Cass	11,021	5,460
Clark	15,828	15,595
Clay	7,944	5,567
Clinton	11,869	7,508
Crawford	6,524	5,232
Daviess	10,352	6,720
Dearborn	20,166	19,327
Decatur	15,107	12,171
De Kalb	8,251	1,968
Delaware	10,843	8,843
Dubois	6,321	3,632
Elkhart	12,690	6,660
Fayette	10,217	9,837
Floyd	14,875	9,454
Fountain	13,253	11,218
Franklin	17,968	13,349
Fulton	5,982	1,993
Gibson	10,771	8,977
Grant	11,092	4,875
Greene	12,313	8,321
Hamilton	12,684	9,855
Hancock	9,698	7,538
Harrison	15,286	12,459
Hendricks	14,083	11,264
Henry	17,605	15,128
Howard	6,657	new co.
Huntington	7,850	1,579
Jackson	11,047	8,961
Jasper	3,540	1,267
Jay	7,047	3,863
Jefferson	23,916	16,614
Jennings	12,096	8,829
Johnson	12,101	9,352
Knox	11,084	10,657
Kosciusko	10,243	4,170

Counties.	1850.	1840.
La Grange	8,387	3,664
Lake	3,991	1,468
La Porte	12,145	8,184
Lawrence	12,097	11,782
Madison	12,375	8,874
Marion	24,013	16,080
Marshall	5,348	1,651
Martin	5,941	3,875
Miami	11,304	3,048
Monroe	11,286	10,143
Montgomery	18,084	14,438
Morgan	14,576	10,741
Noble	7,946	2,702
Ohio	5,308	new co.
Orange	10,809	9,602
Owen	12,106	8,359
Parke	14,968	13,499
Perry	7,268	4,655
Pike	7,720	4,769
Porter	5,234	2,162
Posey	12,549	9,683
Pulaski	2,595	561
Putnam	18,615	16,843
Randolph	14,725	10,684
Ripley	14,820	10,392
Rush	16,445	16,456
Scott	5,885	4,242
Shelby	15,502	12,005
Spencer	8,616	6,305
Stark	557	149
Steuben	6,104	2,578
St. Joseph	10,954	6,425
Sullivan	10,141	8,315
Switzerland	12,932	9,920
Tippecanoe	19,377	13,724
Tipton	3,532	new co.
Union	6,944	8,017
Vanderburg	11,414	6,250
Vermillion	8,661	8,274
Vigo	12,289	12,076
Wabash	12,138	2,756
Warren	7,387	5,656
Warwick	8,811	6,321
Washington	17,040	15,265
Wayne	25,320	23,290
Wells	6,152	1,822
White	4,761	1,832
Whitly	5,190	1,237
Total	988,416	685,866

ILLINOIS.

Area, 56,405 sq. miles, or 35,459,200 acres.

Adams	26,508	14,476
Alexander	2,484	3,313
Bond	6,144	5,060
Boone	7,626	1,705
Brown	7,198	4,183
Bureau	8,841	3,067
Calhoun	3,231	1,741
Carroll	4,586	1,023
Cass	7,253	2,981
Champaign	2,649	1,475
Christian	3,202	1,878

Counties.	1850.	1840.
Clark	9,532	7,453
Clay	4,289	3,228
Clinton	5,139	3,718
Coles	9,335	9,616
Cook	43,385	10,201
Crawford	7,135	4,422
Cumberland	3,720	new co.
De Kalb	7,540	1,697
De Witt	5,002	3,247
Du Page	9,290	3,535
Edgar	10,692	8,225
Edwards	3,524	3,070
Effingham	3,799	1,675
Fayette	8,075	6,328
Franklin	5,681	3,682
Fulton	22,508	13,142
Gallatin	5,448	10,760
Green	12,429	11,951
Grundy	3,023	new co.
Hamilton	6,362	3,945
Hancock	14,652	9,946
Hardin	2,837	1,378
Henderson	4,612	new co.
Henry	3,807	1,260
Iroquois	4,149	1,695
Jackson	5,862	3,566
Jasper	3,220	1,472
Jefferson	8,109	5,762
Jersey	7,354	4,535
Jo Daviess	18,604	6,180
Johnson	4,113	3,626
Kane	16,703	6,501
Kendall	7,730	new co.
Knox	13,279	7,060
Lake	14,226	2,634
La Salle	17,815	9,348
Lawrence	6,121	7,092
Lee	5,292	2,035
Livingston	1,552	759
Logan	5,128	2,333
Macon	3,988	3,039
Macoupin	12,355	7,826
M'Lean	10,163	6,565
M'Donough	7,616	5,308
M'Henry	14,979	2,578
Madison	20,436	14,433
Marion	6,720	4,742
Marshall	5,180	1,849
Mason	5,921	new co.
Massac	4,092	new co.
Menard	6,349	4,431
Mercer	5,246	2,352
Montgomery	6,276	4,490
Monroe	7,679	4,481
Moultrie	3,234	new co.
Morgan	16,064	19,549
Ogle	10,020	3,479
Peoria	17,547	6,153
Perry	5,278	3,222
Platt	1,606	new co.
Pike	18,819	11,728
Pope	3,975	4,094
Pulaski	2,265	new co.
Putnam	3,924	2,131
Randolph	11,079	7,944

Counties.	1850.	1840.
Richland	4,012	new co.
Rock Island	6,937	2,610
Saline	5,588	new co.
Sangamon	19,228	14,716
Scott	7,914	6,215
Schuyler	10,573	6,972
Shelby	7,807	6,659
Stark	3,710	1,573
St. Clair	20,181	13,631
Stevenson	11,666	2,809
Tazewell	12,052	7,221
Union	7,615	5,524
Vermillion	11,492	9,303
Wabash	4,690	4,240
Warren	8,176	6,739
Washington	6,953	4,810
Wayne	6,825	5,133
White	8,925	7,919
Whitesides	5,361	2,514
Will	16,703	10,167
Williamson	7,216	4,457
Winnebago	11,773	4,609
Woodford	4,416	new co.
Total	851,470	476,183

IOWA.

Area, 50,914 sq. miles, or 32,584,960 acres.

Allamakee	777	new co.
Appanoose	3,131	new co.
Benton	672	new co.
Black Hawk	135	new co.
Boone	735	new co.
Buchanan	517	new co.
Cedar	3,941	1,253
Clark	79	new co.
Clayton	3,873	1,101
Clinton	2,822	821
Dallas	854	new co.
Davis	7,264	new co.
Decatur	965	new co.
Delaware	1,759	168
Des Moines	12,987	5,575
Dubuque	10,841	3,059
Fayette	825	new co.
Fremont	1,244	new co.
Henry	8,707	3,772
Iowa	822	new co.
Jackson	7,210	1,411
Jasper	1,280	new co.
Jefferson	9,904	2,773
Johnson	4,472	1,491
Jones	3,007	471
Keokuk	4,822	new co.
Lee	18,860	6,093
Linn	5,444	1,373
Louisa	4,939	1,927
Lucas	471	new co.
Madison	1,179	new co.
Mahaska	5,989	new co.
Marion	5,482	new co.
Marshall	338	new co.
Monroe	2,884	new co.
Muscatine	5,731	1,942

Counties.	1850.	1840.
Page	551	new co.
Polk	4,515	new co.
Pottawatomie	7,828	new co.
Poweshick	615	new co.
Scott	5,986	2,146
Tama	8	new co.
Taylor	204	new co.
Van Buren	12,270	6,146
Wapello	8,471	new co.
Warren	961	new co.
Washington	4,957	1,584
Wayne	340	new co.
Winneshick	546	new co.
Total	192,214	43,111

WISCONSIN.

Area, 53,924 sq. miles, or 34,511,360 acres.

Adams	187	new co.
Brown	6,212	2,107
Calumet	1,743	275
Chippewa	614	new co.
Columbia	9,565	new co.
Crawford	2,498	1,592
Dane	16,641	3,114
Dodge	19,138	67
Fond du Lac	14,468	139
Grant	16,170	3,326
Greene	8,563	563
Iowa	9,530	3,375
Jefferson	15,317	914
Kenosha	10,732	new co.
Lafayette	11,541	new co.
La Pointe	489	new co.
Marquette	8,642	18
Marathon	508	new co.
Milwaukee	31,077	5,635
Manitowoc	3,702	235
Portage	1,250	1,623
Racine	14,973	3,475
Richland	903	new co.
Rock	20,708	1,761
Sauk	4,371	102
Sheboygan	8,378	133
St. Croix	624	801
Walworth	17,861	2,611
Washington	19,484	343
Waukesha	19,174	new co.
Winnebago	10,125	135
Total	305,191	30,945

MISSOURI.

Area, 67,380 sq. miles, or 43,123,200 acres.

Adair	2,342	1,949
Andrew	9,433	new co.
Atchison	1,678	new co.
Audrain	3,506	new co.
Barry	3,467	4,795
Bates	3,669	new co.
Benton	5,015	4,205
Boone	14,979	13,561
Buchanan	12,975	6,237
Butler	1,616	new co.

Counties.	1850.	1840.	Counties.	1850.	1840.
Adair	2,316	1,458	Putnam	1,657	new co.
Adams	13,827	11,765	Rolls	6,151	5,670
Adams	2,338	new co.	Randolph	9,439	7,198
Adair	13,912	9,359	Ray	10,373	6,553
Adair	5,441	2,428	Reynolds	1,849	new co.
Adair	6,090	4,693	Ripley	2,830	2,856
Adair	3,361	new co.	Saline	8,843	5,258
Adair	7,514	4,746	Schuyler	3,287	new co.
Adair	5,527	2,846	Scotland	3,782	new co.
Adair	10,332	8,282	Scott	3,182	5,974
Adair	3,786	2,724	Shannon	1,199	new co.
Adair	6,696	9,286	Shelby	4,253	3,056
Adair	12,950	10,484	St. Charles	11,454	7,011
Adair	6,397	3,561	St. Clair	3,556	new co.
Adair	4,246	new co.	St. Genevieve	5,313	3,148
Adair	3,648	new co.	St. Francois	4,964	3,211
Adair	5,298	2,736	St. Louis	104,978	35,979
Adair	2,075	new co.	Stoddard	4,277	3,153
Adair	353	new co.	Sullivan	2,983	new co.
Adair	1,229	new co.	Taney	4,373	3,264
Adair	11,021	7,515	Texas	2,312	new co.
Adair	4,996	5,330	Warren	5,860	4,253
Adair	4,248	new co.	Washington	8,811	7,213
Adair	13,785	5,372	Wayne	4,518	3,403
Adair	3,006	new co.	Wright	3,387	new co.
Adair	2,447	new co.			
Adair	4,052	4,726			
Adair	2,329	new co.			
Adair	3,957	new co.			
Adair	13,969	13,108			
Adair	14,000	7,612			
Adair	4,223	new co.			
Adair	6,928	4,296			
Adair	7,464	4,471			
Adair	2,894	new co.			
Adair	2,498	new co.			
Adair	13,690	6,815			
Adair	4,859	new co.			
Adair	6,578	6,040			
Adair	9,421	7,449			
Adair	4,058	2,245			
Adair	4,247	4,325			
Adair	6,565	6,034			
Adair	6,003	3,395			
Adair	12,230	9,623			
Adair	2,236	new co.			
Adair	2,691	new co.			
Adair	3,834	2,282			
Adair	3,123	new co.			
Adair	6,004	new co.			
Adair	10,541	9,505			
Adair	5,489	4,371			
Adair	4,650	4,407			
Adair	5,541	4,554			
Adair	4,268	3,790			
Adair	2,118	new co.			
Adair	1,432	new co.			
Adair	6,704	new co.			
Adair	2,294	new co.			
Adair	7,215	5,760			
Adair	5,150	2,930			
Adair	13,609	10,646			
Adair	16,845	8,913			
Adair	6,186	8,449			
Adair	3,998	6,529			
			Total	682,043	383,702
ARKANSAS.					
Area, 52,198 sq. miles, or 35,406,720 acres.					
Arkansas	3,245	1,346			
Ashley	2,058	new co.			
Benton	3,710	2,228			
Bradley	3,829	new co.			
Conway	3,583	2,892			
Crittenden	2,648	1,561			
Chicot	5,115	3,806			
Clark	3,995	2,309			
Crawford	7,960	4,266			
Carroll	4,614	2,844			
Dallas	6,877	new co.			
Desha	2,900	1,598			
Drew	3,275	new co.			
Fulton	1,819	new co.			
Franklin	3,929	2,665			
Greene	2,593	1,586			
Hempstead	7,672	4,921			
Hot Springs	3,609	1,907			
Independence	7,767	3,669			
Izard	3,213	2,244			
Jackson	3,086	1,540			
Jefferson	5,834	2,566			
Johnson	5,227	3,433			
Lawrence	5,274	2,835			
Lafayette	5,220	2,200			
Madison	4,823	2,775			
Marion	2,302	1,325			
Mississippi	2,368	1,410			
Monroe	2,049	936			
Montgomery	1,958	new co.			
Newton	1,758	new co.			
Perry	978	new co.			
Phillips	6,935	3,547			
Pike	1,861	969			

Counties.	1850.	1840.
Poinsett	2,308	1,320
Polk	1,263	new co
Pope	4,710	2,850
Pulaski	5,658	5,350
Prairie	2,097	new co
Randolph	3,275	2,196
Sabine	3,901	2,061
Scott	3,083	1,694
Searcy	1,979	936
Sevier	4,240	2,810
St. Francis	4,479	2,499
Union	10,298	2,889
Van Buren	2,864	1,518
Wachita	9,591	new co
Washington	9,849	7,148
White	2,619	929
Yell	3,341	new co

Total 209,639 97,574

TEXAS.

Area, 228,000 square miles, or
142,720,000 acres.

Counties.	1850.
Anderson	2,884
Angelina	1,165
Austin	3,841
Bestrop	3,099
Bexar	6,052
Bowie	2,912
Brazoria	4,841
Brazos	614
Burleson	1,713
Caldwell	1,329
Calhoun	1,110
Cameron	8,541
Star and Webb	
Cass	4,991
Cherokee	6,673
Collin	1,959
Colorado	2,257
Comal	1,723
Cook	220
Dallas	2,743
Denton	641
De Witt	1,716
Fannin	3,788
Fayette	3,756
Fort Bend	2,533
Galveston	4,529
Gillespie	1,240
Goliad	648
Gonzales	1,492
Grayson	2,008
Grimes	4,008
Guadalupe	1,511
Harris	4,668
Harrison	11,822
Hays	387
Henderson	1,237
Hopkins	2,623

Counties.	1850.
Houston	2,727
Hunt	1,520
Jackson	996
Jasper	1,767
Jefferson	1,836
Kaufman	1,047
Lamar	3,978
Lavacca	1,571
Leon	1,946
Liberty	2,522
Limestone	2,608
Matagorda	2,124
Medina	909
Milan	2,907
Montgomery	2,384
Nacogdoches	5,193
Navarro	3,843
Newton	1,689
Nueces	698
Panola	3,871
Polk	2,349
Red River	3,906
Refugio	288
Robertson	934
Rusk	8,148
Sabine	2,498
San Augustine	3,647
San Patricio	200
Shelby	4,239
Smith	4,292
Titus	3,636
Travis	3,133
Tyler	1,894
Upshur	3,394
Van Zant	1,348
Victoria	2,019
Walker	3,964
Washington	5,983
Wharton	1,752
Williamson	1,568

Total 212,592

CALIFORNIA.*

Area, 188,981 square miles, or
120,947,840 acres.

Butte	4,786
Calaveras	16,884
Contra Costa	722
Colusi	115
El Dorado	20,785
Los Angeles	—
Marin	323
Mariposa	4,400
Mendocino	56
Monterey	1,872
Napa	414
Sacramento	11,000
San Diego	—

* The population of this state is nearly double the number returned by the marshal.

Counties.	1850.
San Francisco	—
San Joaquin	—
San Luis Obispo	—
Santa Barbara	—
Santa Clara	—
Santa Cruz	—
Shasta	—
Solano	—
Sonoma	—
Sutter	—
Trinity	—
Tuolumne	—
Yolo	—
Yuba	—

Total 11,329

OREGON.

Area, 341,468 square miles, or
218,636,820 acres.

Benton	—
Clackamas	—
Clark	—
Clatsop	—
Linn	—
Lewis	—
Marion	—
Polk	—
Washington	—
Yam Hill	—

Total 11,329

NEW MEXICO.

Area, 210,744 square miles, or
134,876,160 acres.

Bernardillo	—
Rio Arriba	—
Santa Anna	—
Santa Fe	—
San Miguel	—
Taos	—
Valencia	—

Total 61,567

MINNESOTA.

Area, 88,000 square miles, or
53,120,000 acres.

Benton	415
Dakotah	524
Itaska	57
Mahkatak	158
Pembina	1,124
Ramsay	2,227
Wabashaw	243
Wahnabta	160
Washington	1,656

Total 6,077

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